

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

FORTY-SEVENTH DAY'S PROCEEDINGS

**Twenty-ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Sunday, June 22, 2003

The House of Representatives was called to order at 2:30 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth

Fauchoux
Flavin
Frith
Fruge
Total—102

Morrish
Murray
Nevers
Odinet

Welch
Winston
Wooton
Wright

ABSENT

Cazayoux
Total—3

Doerge

Kennard

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rep. Walker.

Pledge of Allegiance

Rep. Bruce led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Walker, the reading of the Journal was dispensed with.

On motion of Rep. Walker, the Journal of June 21, 2003, was adopted.

Suspension of the Rules

On motion of Rep. Walker, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

Suspension of the Rules

On motion of Rep. Murray, House Rule 6.14(A) was suspended.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

HOUSE BILL NO. 334—

BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 3:3654(E)(3) and (4)(e), relative to financing statements for farm products; to repeal the requirement of the signature of the debtor; to repeal the requirement of a general property description; and to provide for related matters.

HOUSE BILL NO. 622—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 32:1252(10) and 1254(N)(1)(a) and to enact R.S. 32:1254.1(D), relative to motor vehicles; to revise the definition of "franchise"; to provide for the effect of enactments and rules on licensees; to provide relative to warranty and sales incentive audits; and to provide for related matters.

HOUSE BILL NO. 932—

BY REPRESENTATIVE PITRE AND SENATOR DUPRE

AN ACT

To enact R.S. 47:463.111, relative to motor vehicles; to provide relative to the issuance of license plates; to create the "America's WETLAND" prestige license plate to promote Louisiana's coastal wetlands and coastal wetland restoration; to provide relative to the fee for such plate; to provide for the design of such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

SENATE BILL NO. 1046—
BY SENATOR B. JONES

AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:135 through 135.7, relative to expropriation; to authorize expropriation of property by a declaration of taking by municipalities with a population between twenty thousand five hundred twenty-five and twenty thousand five hundred fifty; to provide for definitions; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for vesting of title; to provide for notice to the owner of the property; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; and to provide for related matters.

The conference committee reports for the legislative instruments above lie over under the rules.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1: Reps. LeBlanc, DeWitt, and Murray.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 2: Reps. Hammett, Alario, and LeBlanc.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 370: Reps. Faucheux, Broome, and Quezaire.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 784: Reps. Daniel, Johns, and Bruneau.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 795: Reps. DeWitt Vice LaFleur.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1002: Reps. Pinac, Flavin, and Murray.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1188: Reps. Schneider, Daniel, and Beard.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1204: Reps. Montgomery, Schneider, and Gallot.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 2002: Reps. Pitre, Diez, and Townsend.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 705: Reps. Downer, Johns, and Baldone.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 949: Reps. Devillier, Johns, and Ansardi.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 968: Reps. Downs, Johns, and Montgomery.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 149, 153, and 154

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Thompson, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 149—

BY SENATORS HINES, BAJOE, BOISSIERE, IRONS, AND TARVER

A CONCURRENT RESOLUTION

To urge and request the United States Department of Agriculture (USDA) to include Louisiana in the USDA Farm-to-School Program.

Read by title.

On motion of Rep. Thompson, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 153—

BY SENATOR BAJOE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to undertake a comprehensive study of the prevention and treatment of obesity and to create the Louisiana Obesity Prevention Task Force to study obesity prevention and treatment.

Read by title.

On motion of Rep. Peychaud, and under a suspension of the rules, the resolution was concurred in.

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1: Senators Dardenne, Tarver, and Hainkel.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 2: Senators Barham, Dardenne, and Hainkel.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

APPOINTMENT OF

CONFERENCE COMMITTEE

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 409: Senators Chaisson, Cravins, and Marionneaux.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 795: Senators Hainkel Vice Malone.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 795: Senators Hollis Vice Chaisson.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like

Page 4 HOUSE

47th Day's Proceedings - June 22, 2003

committee from the House to confer on the disagreement to House Bill No. 876: Senators Schedler, Ellington, and Irons.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 892: Senators Hollis, Adley, and Irons.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1935: Senators Heitmeier, Fields, and Lentini.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 2004: Senators Schedler, Tarver, and Thomas.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 4: Senators McPherson, Ullo, and Marionneaux.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 30: Senators Cain, Ullo, and Dardenne.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 909: Senators Cain, Hollis, and Smith.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 149—

BY REPRESENTATIVES KENNARD, ALARIO, ALEXANDER, BAUDOIN, BROOME, BRUCE, CRANE, CURTIS, DAMICO, DIEZ, ERDEY, FAUCHEUX, ILES, KATZ, NEVERS, ODINET, PERKINS, POWELL, SALTER, SCHWEGMANN, SHAW, STRAIN, THOMPSON, WELCH, WINSTON, AND WOOTON

A RESOLUTION

To commend the Louisiana House of Representatives Public Information Office and the clerk's office upon the receipt of multiple awards in the Louisiana Press Women Margaret McDonald Journalism Contest.

Read by title.

On motion of Rep. Alario, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 150—

BY REPRESENTATIVE K. CARTER

A RESOLUTION

To commend the Honorable Mitchell Joseph Landrieu and to express enduring gratitude for his outstanding contributions to Orleans Parish and the state of Louisiana, particularly during his sixteen-year tenure as a distinguished member of the Louisiana House of Representatives.

Read by title.

On motion of Rep. Karen Carter, and under a suspension of the rules, the resolution was adopted.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 150—

BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To establish the Region IV Healthcare Planning Council to develop an integrated plan of medical care for the indigent in Region IV.

Read by title.

On motion of Rep. LeBlanc, the rules were suspended in order to consider the concurrence of the resolution.

Rep. LeBlanc moved the concurrence of the resolution.

By a vote of 96 yeas and 0 nays, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 146—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Health and Hospitals to refrain from adopting certain rules or regulations concerning hospitals, including but not limited to, certain proposed rules and regulations the notice of intent of which appears in the May edition of the *Louisiana Register*.

Called from the calendar.

Read by title.

Rep. Durand sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Odinet to Original Senate Concurrent Resolution No. 146 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, line 8, change "directed" to "urged and requested"

AMENDMENT NO. 3

On page 3, line 5, change "directed" to "urged and requested"

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, and under a suspension of the rules, the resolution, as amended, was concurred in.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 239—

BY REPRESENTATIVES THOMPSON, R. CARTER, NEVERS, AND STRAIN

A CONCURRENT RESOLUTION

To create the Louisiana Dairy Industry Task Force to study issues affecting fair milk prices and to make recommendations to the legislature.

Read by title.

Rep. Thompson moved the adoption of the resolution.

By a vote of 96 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. Hutter, the rules were suspended in order to take up and consider House Concurrent Resolutions Returned from the Senate with Amendments at this time.

House Concurrent Resolutions Returned from the Senate with Amendments

The following House Concurrent Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 197—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with the Board of Supervisors of Community and Technical Colleges, to study all aspects of the effect on community colleges of full implementation at the state's public baccalaureate degree granting institutions of admissions criteria as provided for in the Board of Regents' Master Plan for Public Postsecondary Education: 2001, and to report in writing on study findings and recommendations to the House Committee on Education and to the Senate Committee on Education by not later than sixty days prior to the convening of the 2004 Regular Session of the Legislature.

Called from the calendar.

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

Page 6 HOUSE

47th Day's Proceedings - June 22, 2003

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Original House Concurrent Resolution No. 197 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "consultation with the" change "Board" to "Boards"

AMENDMENT NO. 2

On page 1, line 3, after "Colleges," insert "Louisiana State University, Southern University, and University of Louisiana Systems,"

AMENDMENT NO. 3

On page 1, line 4, after "effect on" delete "community colleges" and insert "degree-granting institutions" and after "implementation" delete the remainder of the line and on line 5, delete "public baccalaureate degree granting institutions"

AMENDMENT NO. 4

On page 2, at the beginning of line 21, change "Board" to "Boards" and after "Colleges," insert "Louisiana State University, Southern University, and University of Louisiana Systems,"

AMENDMENT NO. 5

On page 2, line 22, delete "community colleges" and insert "degree granting institutions" and after "implementation" delete the remainder of the line and on line 23, delete "state's public baccalaureate degree granting institutions"

AMENDMENT NO. 6

On page 3, line 3, delete "community colleges" and insert "degree granting institutions"

AMENDMENT NO. 7

On page 3, line 9, change "chairman" to "chairmen" and change "Board" to "Boards"

AMENDMENT NO. 8

On page 3, delete lines 10 and 11, and insert "Technical Colleges, Louisiana State University, Southern University, and University of Louisiana Systems, and the presidents of each system."

Rep. Hutter moved that the amendments proposed by the Senate be concurred in.

By a vote of 95 yeas and 0 nays, the amendments proposed by the Senate were concurred in by the House.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 138—

BY REPRESENTATIVE TRICHE

AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Triche, the bill was returned to the calendar.

HOUSE BILL NO. 273—

BY REPRESENTATIVE TOOMY AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 16:51(A)(1), (2), (4), (7), (16), (17), (19), (22), (23), (24), (26), (32), (36), and (41), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Toomy, the bill was returned to the calendar.

HOUSE BILL NO. 410—

BY REPRESENTATIVES MCVEA AND STRAIN

AN ACT

To amend and reenact R.S. 11:144, relative to the Louisiana State Employees' Retirement System; to provide with respect to the repayment of refunded contributions from state, parochial, or municipal retirement systems; to provide for members of the Louisiana State Employees' Retirement System to purchase service credit earned in another system directly rather than repaying the refunded contributions to reestablish membership in such system; to provide for the actuarial sufficiency of such purchase; and to provide for related matters.

Read by title.

Motion

On motion of Rep. McVea, the bill was returned to the calendar.

HOUSE BILL NO. 461—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:753, 771(22)(a)(i), 772(A)(1) and (F)(8), 774(I), and 775(A)(7)(c) and (d) and to enact R.S. 32:774(K), relative to the Louisiana Used Motor Vehicle and Parts Commission; to provide for licensing requirements and educational hours; to provide for definitions; to provide for the membership of the commission and the change of its name; to provide for the powers and duties of the commission; to provide for insurance requirements; to provide relative to grounds for denial, suspension, or revocation of licenses; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 461 by Representative Diez

AMENDMENT NO. 1

On page 2, line 15 between "B." and "In addition" insert "(1)"

AMENDMENT NO. 2

On page 2, between lines 22 and 23 insert the following:

"(2) Every person licensed pursuant to Subsection A of this Section prior to January 1, 2004, shall submit such evidence as the commission shall prescribe, documenting that either the person licensed or his general manager, office manager, title clerk, or other responsible representative of the person licensed has attended a four-hour educational seminar prior to August 15, 2004."

AMENDMENT NO. 3

On page 5, line 8 between "K." and "Any new applicant" insert "(1)"

AMENDMENT NO. 4

On page 5, between lines 15 and 16 insert the following:

"(2) Every person licensed pursuant to this Chapter prior to January 1, 2004, shall submit such evidence as the commission shall prescribe, documenting that either the person licensed or his general manager, office manager, title clerk, or other responsible representative of the person licensed has attended a four-hour educational seminar prior to August 15, 2004."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 461 by Representative Diez

AMENDMENT NO. 1

On page 1, line 3, after "and (d)" insert "and 778(B)" and delete "and" before "775(A)(7)(c)"

AMENDMENT NO. 2

On page 1, line 3, after "R.S. 32:774(K)" insert "and 1254(N)(1)(d)"

AMENDMENT NO. 3

On page 1, line 9, after "licenses;" insert "to provide for warranty and repair services for school buses;"

AMENDMENT NO. 4

On page 1, line 13, after "and (d)" insert "and 778(B)"

AMENDMENT NO. 5

On page 1, line 13, after "R.S. 32:774(K)" insert "and 1254(N)(1)(d)" and on line 14, change "is" to "are"

AMENDMENT NO. 6

On page 6, after line 10, insert the following:

"§778. Louisiana Motor Vehicle Commission licensees; exemptions

* * *

B. Notwithstanding the provisions of Subsection A of this Section, any licensee of the Louisiana Motor Vehicle Commission engaged in any additional business not licensed by the Louisiana Motor Vehicle Commission shall be subject to licensure by the appropriate licensing authority for such additional business. However, nothing herein shall be construed to prohibit a motor vehicle dealer licensed by the Louisiana Motor Vehicle Commission or licensed pursuant to this Chapter from dispensing any property at retail he has taken in trade for the sale of a motor vehicle. Further, nothing in this Title shall be construed to prohibit a manufacturer of school buses licensed by the Louisiana Motor Vehicle Commission or licensed pursuant to this Chapter from authorizing warranty and other repair or maintenance services to be performed at any location of a motor vehicle dealer licensed under this Title which holds a franchise from any affiliate or subsidiary of the school bus manufacturer.

* * *

§1254. Application for license; contents; notices of intent; fees; license; boards; unauthorized acts; auto shows; successions; sale or transfer of dealership

* * *

N. It shall be a violation of this Chapter:

(1)

* * *

(d) However, notwithstanding any other provision of law to the contrary, a manufacturer licensed under this Chapter may authorize warranty and other repair or maintenance services to be performed at any location of a motor vehicle dealer licensed under this Chapter which holds a franchise from any affiliate or subsidiary of the school bus manufacturer.

* * *

Rep. Diez moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann

Page 8 HOUSE

47th Day's Proceedings - June 22, 2003

Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—99		

NAYS

Bowler	Smith, G.—56th
Total—2	

ABSENT

Doerge	Morrell
Kennard	Richmond
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 862— BY REPRESENTATIVES ALARIO AND DANIEL AN ACT

To amend and reenact R.S. 47:1907(A)(1), relative to assessors; to authorize an increase in the annual compensation; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 862 by Representative Alario

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact R.S. 47:1907(A)(1)" to "enact R.S. 47:1907(J)"

AMENDMENT NO. 2

On page 1, line 9, after "R.S. 47:1907" delete the remainder of the line and insert:

"(J) is hereby enacted to read"

AMENDMENT NO. 3

On page 1, delete lines 12 through 17, and on page 2, delete lines 1 through 8

AMENDMENT NO. 4

On page 2, between lines 9 and 10, and insert:

"J. In addition to all other forms of compensation which are authorized for assessors under the provisions of this Section, at any time between June 30, 2003 and August 16, 2003, any assessor may increase his annual compensation by an amount not to exceed seven thousand dollars. No assessor may increase his salary pursuant to this Subsection after August 15, 2003."

Rep. Alario moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hudson	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, K	Hutter	Smith, J.H.—8th
Carter, R	Iles	Smith, J.R.—30th
Cazayoux	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Katz	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Lancaster	Toomy
Dartez	Landrieu	Townsend
Devillier	Lucas	Triche
Diez	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Kennard	Richmond
Jackson, L	LeBlanc	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 867—BY REPRESENTATIVES MORRELL AND PEYCHAUD
AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 867 by Representative Morrell

AMENDMENT NO. 1

On page 3, line 14, change "Council on Aging" to "Recreational Department"

Rep. Morrell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright
Total—99		

NAYS

Total—0

ABSENT

Doerge	Glover	LeBlanc
Durand	Kennard	Schneider
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1068—BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 39:87.2, relative to performance-based budgeting; to provide for a process by which an agency's performance data may be adjusted after the budget has been enacted; and to provide for related matters.

Read by title.

Motion

On motion of Rep. LeBlanc, the bill was returned to the calendar.

HOUSE BILL NO. 1075—BY REPRESENTATIVES BROOME, MORRELL, AND MURRAY
AN ACT

To enact R.S. 17:421.9, relative to public school social workers; to provide a salary supplement for certain public school social workers who have acquired certification by the National Association of Social Workers; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide limitations; to provide definitions; to provide for effectiveness; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Re-engrossed House Bill No. 1075 by Representative Broome

AMENDMENT NO. 1

On page 2, line 6, after "salary" insert "provided the amount for such supplement has been appropriated to the state Department of Education for reimbursement pursuant to Subsection C of this Section"

Rep. Broome moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter

Page 10 HOUSE

47th Day's Proceedings - June 22, 2003

Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Odinet	
Futrell	Peychaud	
Total—100		

NAYS

Mr. Speaker
Total—1

ABSENT

Crane	Kennard
Doerge	Perkins
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1093— BY REPRESENTATIVES TOOMY AND WELCH AN ACT

To amend and reenact R.S. 33:1421(A)(1), relative to the compensation of sheriffs in parishes with a population of four hundred thousand or less; to provide for certain salary increases; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1093 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 9, change "33:142(E)" to "33:1421(E)"

Rep. Toomy moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
De villier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Fruge	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Doerge	Kennard
Total—2	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1105— BY REPRESENTATIVE LANDRIEU AN ACT

To enact Children's Code Article 896(G), relative to deferred disposition agreements in juvenile delinquency proceedings; to authorize the court to utilize or initiate a teen or youth court program; to authorize assessment of fees; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1105 by Representative Landrieu

AMENDMENT NO. 1

On page 1, line 2, after "Code" and before "896(G)," delete "Article" and insert in lieu thereof "Articles 839(C) and "

AMENDMENT NO. 2

On page 1, at the end of line 2, after "relative to" delete "deferred disposition"

AMENDMENT NO. 3

On page 1, line 7, after "Code" and before "hereby" delete "Article 896(G) is" and insert in lieu thereof "Articles 839(C) and 896(G) are"

AMENDMENT NO. 4

On page 1, between lines 8 and 9 insert the following:

"Art. 839. Availability of an informal adjustment agreement

* * *

C. When entering an informal adjustment agreement, the court has the authority to utilize or initiate a teen or youth court program and may assess a fee to a participant in the program to offset costs.

* * *

Rep. Landrieu moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright

Fruge
Total—101

Odinot

NAYS

Total—0

ABSENT

Crane
Doerge
Total—4

Kennard
Smith, J.R.—30th

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1157—

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 17:3997(F), relative to the Northwood Preparatory High School, to provide for duties of the State Board of Elementary and Secondary Education regarding the development, and administration of a claims process for former employees of the Northwood Preparatory High School to receive unpaid wages and benefits; to authorize and provide for the payment of certain claims; from certain monies provided to the Tangipahoa Parish School Board pursuant to cooperative endeavor with the state which monies may be used for payment of claims under certain circumstances; to provide for conditions for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 1157 by Representative Powell

AMENDMENT NO. 1

On page 1, line 7, after "claims" delete the semicolon ";"

AMENDMENT NO. 2

On page 2, line 7, after "this" change "Act" to "Subsection"

Rep. Powell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw

Page 12 HOUSE

47th Day's Proceedings - June 22, 2003

Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright
Früge	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Ansardi	Johns	Sneed
Curtis	Kennard	
Doerge	Martiny	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1217—

BY REPRESENTATIVES TRICHE, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BOWLER, BROOME, BRUCE, CROWE, CURTIS, DAMICO, DARTEZ, DIEZ, DOERGE, DOWNER, DURAND, FANNIN, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, GUILLORY, HEBERT, HILL, HONEY, HUDSON, ILES, KENNARD, KENNEY, LUCAS, MCDONALD, MCVEA, MONTGOMERY, MORRELL, NEVERS, PIERRE, POWELL, QUEZAIRE, RICHMOND, JACK SMITH, JANE SMITH, STRAIN, THOMPSON, WADDELL, WALSWORTH, WELCH, WINSTON, AND WOOTON AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 30:136.3, 209(2) and (4)(b), and 212(D)(2) and (3), relative to the office of mineral resources funding authority; to rename the Mineral Resources Audit and Collection Fund; to provide for revenues to be credited to the fund; to provide for appropriation from the fund; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1217 by Representative Triche

AMENDMENT NO. 1

On page 2, line 8, change "(1)(a)" to "(1)"

AMENDMENT NO. 2

On page 2, delete lines 11 through 14 in their entirety

Rep. Triche moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Früge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
De villier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright
Total—102		

NAYS

Total—0

ABSENT

Doerge	Kennard	LaFleur
Total—3		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1281—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 13:2586(C)(2) and 2587.1, R.S. 32:414(A)(3)(a) and (b), and R.S. 30:2522(3), 2531, 2531.5(D), 2531.6(A)(2), 2535(E), and 2544(D) and to repeal R.S. 30:2531.2, relative to littering; to provide for definitions; to prohibit intentional and simple littering; to provide for criminal and civil penalties; to provide for special court costs; to provide for jurisdiction of justices of the peace; to provide for prosecutorial powers of constables; to provide for enforcement; to provide for litter receptacles; to provide for litter-free zones; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1281 by Representative Baldone

AMENDMENT NO. 1

On page 1, line 3, after "and (b), and" change "R.S. 30:2522(3)" to "R.S. 30:2418(B) and (I) and 2522(3)"

AMENDMENT NO. 2

On page 1, line 9, after "zones;" insert "to provide relative to fees collected on new tires; to provide relative to the disposal of waste tires;"

AMENDMENT NO. 3

On page 3, line 15, after "Section 3." change "R.S. 30:2522(3)" to "R.S. 30:2418(B) and (I) and 2522(3)"

AMENDMENT NO. 4

On page 3, between lines 16 and 17, insert the following:

"§2418. Waste tires

* * *

B.(1) After January 1, 1990, it is unlawful for any person to dispose knowingly and intentionally of waste tires in the state, unless the waste tires are disposed of for processing, or collected for processing, at a permitted solid waste disposal facility, a permitted waste tire processing facility, or a waste tire collection center.

(2) Any person in violation of the provision of Paragraph (1) of this Subsection shall be subject to the penalties provided for in R.S. 30:2531.

* * *

I. The fee ~~on new tires~~ authorized ~~to be levied~~ pursuant to R.S. 30:2413(A)(8) shall ~~be levied on all new tires and shall~~ not exceed two dollars per passenger/light truck/small farm service tire, five dollars per medium truck tire, and ten dollars per off-road tire. The secretary may provide for exemptions from the fees levied ~~on the sale of tires pursuant to this Chapter in the regulations provided for in Subsection II of this Section pursuant to this Chapter on the sale of certain tires which are de minimis in nature, including lawn mower tires, bicycle tires, and golf cart tires.~~

* * *

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1281 by Representative Baldone

AMENDMENT NO. 1

Delete Committee Amendments 1 through 4 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 4, 2003

Rep. Baldone moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, L	Smith, J.R.—30th
Cazayoux	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Odinot	
Total—100		

NAYS

Total—0

ABSENT

Crane	Kennard	Scalise
Doerge	Richmond	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1304—

BY REPRESENTATIVES STELLY, FLAVIN, GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(b) and (c), (4), and (5), relative to the distribution of revenues derived under the Parimutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of such revenues in Calcasieu Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Read by title.

Page 14 HOUSE

47th Day's Proceedings - June 22, 2003

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1304 by Representative Stelly

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and insert "27:392(B)(3)(c) and (5),

AMENDMENT NO. 2

On page 1, at the beginning of line 6, change "Parish" to "Parish; to provide for the distribution of such revenues in the Rehabilitation for the Blind and Visually Impaired Fund,"

AMENDMENT NO. 3

On page 1, line 9, after "R.S." delete the remainder of the line and insert "27:392(B)(3)(c) and (5) are hereby"

AMENDMENT NO. 4

On page 1, delete lines 15 and 16 in their entirety

AMENDMENT NO. 5

On page 2, delete lines 1 through 8 in their entirety

AMENDMENT NO. 6

On page 2, delete lines 15 through 26 and on page 3, delete lines 1 through 3 all in their entirety

AMENDMENT NO. 7

On page 4, delete lines 18 through 26 and on page 5, delete lines 1 and 2 all in their entirety and insert:

"* * *

AMENDMENT NO. 8

On page 5, delete lines 11 and 12 in their entirety and insert "be used solely to fund the Affiliated Blind of"

AMENDMENT NO. 9

On page 6, between lines 5 and 6, insert the following:

"Section 3. In the event of a conflict between the provisions of this Act and Act Number 352 of the 2003 Regular Session of the Legislature of Louisiana, the provisions of this Act shall prevail."

AMENDMENT NO. 10

On page 6, at the beginning of line 6, change "Section 3." to "Section 4."

Rep. Stelly moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Darte	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Doerge	LeBlanc
Kennard	Schneider
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1317— BY REPRESENTATIVE BROOME AN ACT

To enact R.S. 17:421.9, relative to public school speech-language pathologists and audiologists; to provide a salary supplement for certain public school speech-language pathologists and audiologists who have acquired certification by the American Speech-Language Hearing Association; to provide conditions and guidelines for receiving the supplement; to provide limitations; to provide procedures for payment of such supplement; to provide definitions; to provide for effectiveness; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 1317 by Representative Broome

AMENDMENT NO. 1

On page 2, line 9, after "salary" insert "provided the amount for such supplement has been appropriated to the state Department of Education for reimbursement pursuant to Subsection C of this Section"

Rep. Broome moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Früge	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Doerge	Kennard
Total—2	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1403—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 39:128(B)(4), relative to the state capital construction budget; to provide for exemptions from inclusion in the budget for certain projects undertaken by or on the campus of a state college, university, or higher education facility; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Engrossed House Bill No. 1403 by Representative Alario

AMENDMENT NO. 1

On page 2, at the end of line 12, insert the following:

"The exemption authorized by this Paragraph shall apply only to those projects that otherwise could not be accomplished in the normal capital outlay process due to timing or funding constraints."

Rep. Alario moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Früge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton

Page 16 HOUSE

47th Day's Proceedings - June 22, 2003

Frith Odinet Wright
Total—102

NAYS

Total—0

ABSENT

Doerge Kennard Morrell
Total—3

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1408—

BY REPRESENTATIVES DEWITT AND JOHNS
AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1), (2)(b), and (3)(b) and (I)(4) and (5) and 1299.47(A)(1), (2)(b), and (3)(b) and (I)(2)(b) and (3) and to enact R.S. 40:1299.39.1(A)(3)(c) and (4) and (I)(6) and 1299.47(A)(3)(c) and (4) and (I)(4), relative to the state and private Medical Malpractice Acts; to provide relative to medical review panels; to provide for the inclusion of certain information in each request for a medical review panel; to provide for the payment of a filing fee; to provide for exceptions to and the waiver of the filing fee in certain circumstances; to provide that failure to pay the required fee shall invalidate the request for a medical review panel; to provide for the payment of the costs of the medical review panel; to provide for the refund of the filing fee under certain conditions; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Johns, the bill was returned to the calendar.

HOUSE BILL NO. 1416—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 42:1123(22), relative to exemptions from the conflicts of interest laws; to provide for an exemption for mayors and members of a governing authority to enter in certain transactions in municipalities with a population of three thousand five hundred or less; to require a municipality to submit a plan for such transactions to the Board of Ethics for approval; to provide for the requirements of such plan; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 1416 by Representative Gallot

AMENDMENT NO. 1

On page 1, line 2, after "42:1123(22)" insert "and to enact R.S. 42:1123(32)"

AMENDMENT NO. 2

On page 1, line 8, after "plan;" insert "to permit public officials of certain governing authorities and their immediate families and legal

entities to perform certain transactions; to require written notice to the Board of Ethics and recusal from voting;"

AMENDMENT NO. 3

On page 4, between lines 8 and 9, insert the following:

"(32) A member of a planning or zoning commission or municipal or parish governing authority in a parish with a population not in excess of thirty-five thousand or in a municipality with a population not in excess of twenty-five thousand, according to the latest federal decennial census, or member of his immediate family, or legal entity in which he has a controlling interest from making application to a planning or zoning commission or governing authority for approval of the subdivision, resubdivision or zoning classification of property, provided that (a) the zoning of such subdivided property shall not be less restrictive than the zoning of the original parcel, (b) no variance from any planning or zoning regulation or requirement or any building code or permit shall be requested or granted, (c) the elected official shall file written notice with his governing authority and with the Board of Ethics no later than ten days prior to any hearing pertaining to any such application, and (d) any such member of a governing authority shall recuse himself from any vote related to such application."

Rep. Gallot moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Arnold	Glover	Pierre
Baldone	Green	Pinac
Baudoin	Guillory	Pitre
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Total—98		

NAYS

Powell Toomy Winston
Total—3

ABSENT

Ansardi Kennard
Doerge Martiny
Total—4

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1442—

BY REPRESENTATIVE SWILLING

AN ACT

To amend and reenact R.S. 11:3689(A) and to enact R.S. 11:262(14), relative to the Harbor Police Retirement System; to provide with respect to the investment of funds; to provide for fiduciary and investment responsibilities and standards; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Swilling, the bill was returned to the calendar.

HOUSE BILL NO. 1556—

BY REPRESENTATIVES SCHWEGMANN AND PEYCHAUD

AN ACT

To enact R.S. 17:3351.7, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose a specified fee increase for students attending the University of New Orleans; to provide relative to waivers for certain students; to provide limitations; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 1556 by Representative Schwegmann

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:3351.7" delete the comma and insert "and 3351.8, relative to the authority of certain postsecondary education management boards;"

AMENDMENT NO. 2

On page 1, line 5, after "Orleans;" insert "to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to impose a specified fee increase for students attending Southern University at New Orleans;"

AMENDMENT NO. 3

On page 1, line 9, after "R.S. 17:3351.7" delete "is" and insert "and 3351.8 are"

AMENDMENT NO. 4

On page 2, line 4, after "B." insert "(1)"

AMENDMENT NO. 5

On page 2, between lines 5 and 6, insert as follows:

"(2) The fee shall not be a cost that is payable by the state on behalf of any student who is a recipient of an award under the Tuition Opportunity Program for Students."

AMENDMENT NO. 6

On page 2, between lines 15 and 16, insert the following:

"§3351.8. Facilities use and maintenance fee increase; amount; waivers; limitations; Southern University at New Orleans

A. In addition to the authority granted to the Board of Supervisors of Southern University and Agricultural and Mechanical College by R.S. 17:1855(A)(2), 3351(A)(5), and 3351.1, and in accordance with Article VII, Section 2.1(A) of the Constitution of Louisiana, the board may impose, at Southern University at New Orleans, an increase in the facilities use and maintenance fee for a total amount of such fee not to exceed sixty dollars per semester for full-time undergraduate and graduate students effective for the Fall, 2003, semester and thereafter.

B.(1) The fee increase amount shall be applied proportionally for part-time students and for summer sessions.

(2) The fee shall not be a cost that is payable by the state on behalf of any student who is a recipient of an award under the Tuition Opportunity Program for Students.

C. The fee increase shall be paid by all students. However, the board shall establish criteria for waiving the fee increase in cases of financial hardship as determined by the board. Information relative to such waivers and the criteria and procedures for obtaining a waiver shall be made available to all prospective students in a timely manner such that each student is informed of the availability of a waiver prior to the student making a final decision concerning attendance.

D. No proceeds for the fee increase authorized by this Section shall be used to pay the salary of any university or university system administrator."

Rep. Schwegmann moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Curtis	Jackson, M	Smith, J.R.—30th
Damico	Johns	Sneed
Dartez	Katz	Stelly

Page 18 HOUSE

47th Day's Proceedings - June 22, 2003

Devillier	Kenney	Strain
Diez	LaFleur	Swilling
Downer	Lancaster	Thompson
Downs	Landrieu	Townsend
Durand	LeBlanc	Triche
Erdey	Lucas	Tucker
Fannin	McDonald	Waddell
Farrar	McVea	Walker
Faucheux	Montgomery	Walsworth
Flavin	Morrell	Welch
Frith	Morrish	Winston
Fruge	Murray	Wooton
Futrell	Nevers	Wright
Gallot	Peychaud	

Total—92

NAYS

Bowler	Crowe	Scalise
Capella	Perkins	Toomy

Total—6

ABSENT

Ansardi	Doerge	Odinet
Beard	Kennard	
Daniel	Martiny	

Total—7

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1568—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 17:3396.4(A)(2), (3), (4), (5), (6), (7), (9), and (11), relative to the board of directors of the Research Park Corporation; to allow certain members to have designees; to provide for the election of certain members; to allow such members certain limited recusal under certain circumstances; to provide for the application of certain provisions of the Code of Governmental Ethics under certain circumstances; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1568 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:3396.4(A)" delete the remainder of the line and insert "(9) and"

AMENDMENT NO. 2

On page 1, line 4, after "Corporation;" delete "to allow certain members to have designees;"

AMENDMENT NO. 3

On page 1, line 10, after "R.S. 17:3396.4(A)" delete the remainder of the line and insert "(9) and (11) are"

AMENDMENT NO. 4

On page 2, delete lines 1 through 13 in their entirety

Rep. Daniel moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	McDonald	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Fannin	Morrell	Walker
Farrar	Morrish	Walsworth
Faucheux	Murray	Welch
Flavin	Nevers	Winston
Frith	Odinet	Wooton
Fruge	Perkins	Wright

Total—99

NAYS

Total—0

ABSENT

Ansardi	Doerge	Kennard
Daniel	Hunter	Martiny

Total—6

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1633—

BY REPRESENTATIVES MURRAY, DIEZ, PEYCHAUD, AND STRAIN

AN ACT

To amend and reenact R.S. 27:247, relative to the casino support services contract; to provide for the execution of such contract; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 1633 by Representative Murray

AMENDMENT NO. 1

On page 2, line 14, after "disapproves" and before "the amount" insert "or does not act upon"

AMENDMENT NO. 2

On page 2, line 15, after "effect." delete the remainder of the line and delete lines 16 and 17.

AMENDMENT NO. 3

On page 2, between lines 17 and 18, insert the following:

"Section 2. Any payments required by the approval of the amount of the contract shall be subject to appropriation by the legislature."

AMENDMENT NO. 4

On page 2, line 18, change "Section 2." to "Section 3."

Rep. Murray moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pitre
Alario	Green	Powell
Alexander	Guillory	Quezaire
Arnold	Hammitt	Richmond
Baylor	Heaton	Romero
Bowler	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Swilling
Diez	LeBlanc	Toomy
Downer	McDonald	Townsend
Downs	McVea	Triche
Durand	Montgomery	Waddell
Farrar	Morrish	Walker
Faucheux	Murray	Welch
Flavin	Odinot	Winston
Frith	Peychaud	Wooton
Fruge	Pierre	
Gallot	Pinac	
Total—79		

NAYS

Baudoin	Futrell	Shaw
---------	---------	------

Beard
Broome
Crowe
Erdey
Fannin
Total—16

Hebert
Katz
Kenney
Nevers
Perkins

Thompson
Walsworth
Wright

ABSENT

Ansardi
Baldone
Devillier
Doerge
Total—10

Hill
Kennard
Lucas
Martiny

Morrell
Tucker

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1757—

BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2740.55, to create the Southwest Ouachita Economic Development District; to provide relative to the purpose, boundaries, and governance of the district; to provide relative to district plans; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Ellington and B. Jones to Engrossed House Bill No. 1757 by Representative Walsworth

AMENDMENT NO. 1

On page 2, at the beginning of line 14, change "Two members" to "One member"

AMENDMENT NO. 2

On page 2, between lines 21 and 22, insert the following:

"(e) One member shall be nominated by the Ouachita Economic Development Corporation."

AMENDMENT NO. 3

On page 4, at the end of line 11, delete the colon ":" and at the beginning of line 12, delete "(a) An" and insert "an"

AMENDMENT NO. 4

On page 4, delete lines 15 through 24

Rep. Walsworth moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac

Page 20 HOUSE

47th Day's Proceedings - June 22, 2003

Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Total—101		

NAYS

Total—0

ABSENT

Doerge	Martiny
Kennard	Schneider
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1815— BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 42:1123(31) and to enact R.S. 42:1119(2)(c), relative to governmental ethics; to provide for an exception from the code of ethics for a former school board member who is a certified school psychologist to be employed by his former school board as a certified school psychologist; to provide for an exception to the nepotism provisions of the code of ethics for uncertified teachers in certain circumstances; to provide limitations; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1815 by Representative Bruce

AMENDMENT NO. 1

On page 1, line 2, delete "and to enact R.S. 42:1119(2)(c)"

AMENDMENT NO. 2

On page 1, line 6, after "psychologist;" delete the remainder of the line and delete line 7 in its entirety

AMENDMENT NO. 3

On page 1, line 8, delete "certain circumstances;"

AMENDMENT NO. 4

On page 1, line 11, after "reenacted" delete the remainder of the line and delete line 12 in its entirety and insert "to read as follows:"

AMENDMENT NO. 5

On page 1, delete lines 13 through 16 in their entirety

AMENDMENT NO. 6

On page 2, delete lines 1 through 24 in their entirety

AMENDMENT NO. 7

On page 3, delete lines 1 through 3 in their entirety

Rep. Bruce moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Ansardi	Fruge	Martiny
Doerge	Kennard	Sneed
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1819—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 39:98.6, relative to tobacco settlement proceeds; to provide relative to the amount of security to be furnished for appeal of certain matters relating to the tobacco settlement proceeds to be received by the state pursuant to the Master Settlement Agreement; to provide that affiliates of a signatory of the agreement and all other defendants are included in the maximum amount of security required for appeals; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1819 by Representative Walsworth

AMENDMENT NO. 1

On page 1, at the end of line 3, insert "and other purposes"

AMENDMENT NO. 2

On page 1, line 13, after "appeal" and before the semicolon ";," insert "and other purposes"

AMENDMENT NO. 3

On page 2, line 5, after "for" and before "an appeal" insert "any purpose, including for"

AMENDMENT NO. 4

On page 2, line 7, after "all appeals" and before "shall" insert a comma ","

AMENDMENT NO. 5

On page 2, between lines 18 and 19, insert the following:

"Section 2. This Act shall apply to all cases pending on or filed on or after the effective date of this Act."

AMENDMENT NO. 6

On page 2, line 19, change "Section 2." to "Section 3."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 1819 by Representative Walsworth

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 5 and 6 proposed by the Senate Committee on Finance and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 2

On page 1, line 2, after "39:98.6" insert "and 99.12(A)"

AMENDMENT NO. 3

On page 1, line 8, after "date;" insert "to provide for the sale of certain assets;"

AMENDMENT NO. 4

On page 2, between lines 18 and 19, insert the following:

"Section 2. R.S. 39:99.12(A) is hereby amended and reenacted to read as follows:

§99.12. Sale of tobacco assets

A.(1) Subject to the conditions and declarations set forth in Subsection B hereof, the State Bond Commission subject to approval of the Joint Legislative Committee on the Budget and subject to approval by a majority vote of the legislature if the legislature is in session and by mail ballot during the interim, is authorized to sell and convey, from time to time, a portion of the state allocation to the corporation, up to sixty percent thereof from and after such date, and, in particular, to execute and deliver an agreement on the closing date. The agreement shall provide, among other matters, that the purchase price payable by the corporation to the state for the tobacco assets sold, up to sixty percent of the state allocation from and after such date, shall consist of the net proceeds, after financing costs, of the first issue of tobacco bonds and the residual interests to be paid and transferred semiannually pursuant to the provisions of this Subpart.

R.S. 39:99.12(A)(2) is all new law.

(2)(a) After June 30, 2003, subject to the conditions and declarations set forth in Paragraphs (B)(1) and (2) hereof, the State Bond Commission shall declare its intent by granting preliminary approval and authorization to sell or convey up to one hundred percent of the state allocation to the corporation, in one or more series. Said declaration shall first be approved by the Joint Legislative Committee on the Budget and, if approved by the legislative committee, shall then be approved by a majority of the legislature if the legislature is in session. However, if the legislature is not in session, approval shall be granted by mail ballot. Upon approval of the legislature, the State Bond Commission shall commence with the sale as determined by the rules of the State Bond Commission. Net proceeds, after financing costs, of one or more issues of tobacco bonds and the residual interest to be paid shall be transferred pursuant to the provisions of this Subpart. Immediately upon closing of the sale or sales, the state treasurer shall report to the legislature the final terms and conditions of said sale or sales.

(b) In the event a sale or sales authorized in this Paragraph is made during any fiscal year commencing on or after July 1, 2003, the state treasurer, in consultation with the commissioner of administration, shall provide for the deposit into the Louisiana Fund an amount of the net proceeds of any sale or sales that, together with other deposits, will ensure that a sufficient amount is deposited into the Louisiana Fund to fund the appropriations from that fund for that fiscal year. The remainder of such proceeds after deposit into the Louisiana Fund and any residuals received in such state fiscal year shall be deposited into the Millennium Trust.

* * *

Section 3. Section 1 of this Act shall apply to all cases pending on or filed on or after the effective date of this Act."

AMENDMENT NO. 5

On page 2, line 19, change "Section 2" to "Section 4"

Rep. Walsworth moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Green	Powell
Baudoin	Guillory	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Romero
Bowler	Hebert	Salter
Broome	Hill	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kenney	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	McDonald	Triche
Downs	McVea	Tucker
Durand	Montgomery	Waddell
Erdey	Morrell	Walker
Fannin	Morrish	Walsworth
Farrar	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinet	Wooton
Frith	Perkins	Wright
Frige	Peychaud	
Total—95		

NAYS

Total—0

ABSENT

Alexander	Honey	Martiny
Ansardi	Hunter	Swilling
Carter, K	Kennard	
Doerge	LaFleur	
Total—10		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1949—

BY REPRESENTATIVE PEYCHAUD
AN ACT

To amend and reenact R.S. 40:600.4(A)(1) and (3)(introductory paragraph) and (D) and 600.5(B) and (F), to enact R.S. 40:600.6(A)(4)(b)(vi), (vii), (viii), and (ix), and to repeal R.S. 40:600.4(A)(3)(c), relative to the Louisiana Housing Finance

Agency, to provide relative to the board of commissioners; to change the composition of the board of commissioners; to provide for the quorum of the board; to provide relative to participation in certain actions by commissioners and employees; to provide relative to the applicability of the Administrative Procedure Act to certain rules and regulations of the agency; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1949 by Representative Peychaud

AMENDMENT NO. 1

On page 4, line 22, change "review" to "approval"

AMENDMENT NO. 2

On page 4, line 26, change "review" to "approval"

AMENDMENT NO. 3

On page 5, line 4, change "review" to "approval"

AMENDMENT NO. 4

On page 5, line 8, change "review" to "approval"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Reengrossed House Bill No. 1949 by Representative Peychaud

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 through 4 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

Rep. Peychaud moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th

Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright
Früge	Perkins	
Total—101		

NAYS

Total—0

ABSENT

Ansardi	Kennard
Doerge	Martiny
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 2021 (Substitute for House Bill No. 1162 by Representative Diez)—
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1(40), 1301, and 1304(A)(1) and (2) and R.S. 47:463(A)(1)(introductory paragraph) and to enact R.S. 32:300.1, relative to motor vehicles; to provide relative to the definition of "motor vehicle"; to include "low-speed vehicles" within the definition of "motor vehicle"; to provide relative to requirements of "low-speed vehicles"; to exempt "low-speed vehicles" from certain requirements of motor vehicles; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 2021 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, after "(40)," insert "408(C),"

AMENDMENT NO. 2

On page 1, line 10, after "(40)," insert "408(C),"

AMENDMENT NO. 3

On page 4, between lines 9 and 10, insert:

"§408. Examination of applicants required; classes of licenses

* * *

C.(1) Motorcycles, motor driven cycles, and motorized bicycles shall not be given a separate class, as such, but their use shall be provided for by making an endorsement on one of the basic classes outlined in this Section. Such an endorsement shall be made only after the applicant has taken and successfully passed tests specifically designed for the operation of such vehicles. No operator's skill test shall be required if an applicant has successfully completed the Motorcycle Safety, Awareness, and Operator Training Program provided in R.S. 17:282.

(2) The provisions of this Subsection shall not apply to motorcycles, motor driven cycles, and motorized bicycles under five horsepower. Their operation shall not require a license or endorsement.

* * *

Rep. Diez moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	Landrieu	Triche
Downer	LeBlanc	Tucker
Downs	Lucas	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Früge	Odinot	
Total—97		

NAYS

Total—0

ABSENT

Ansardi	Kennard	Smith, J.D.—50th
Carter, R	Martiny	Townsend
Doerge	Peychaud	

Page 24 HOUSE

47th Day's Proceedings - June 22, 2003

Total—8

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 2029 (Substitute for House Bill No. 989 by Representative Townsend)— BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 37:1041, 1042(A) and (C), 1046(B) and (C), 1048(3) and (4), 1050, 1051(A) and (C)(1), 1057, 1058, 1063(introductory paragraph), (1), and (2), and 1064(B) and (C), to enact R.S. 37:1041(A) and (B), 1042(D) and (E), 1048(5) and (6), 1049(6), 1063(B), (C), and (D), and 1064(F) and R.S. 44:4(37), and to repeal R.S. 37:1063(9), (10), and (11), relative to optometry; to provide for the public purpose; to provide for a limitation from liability; to provide for travel, hearings, and subpoena authority; to provide for licensure fees, violations, and civil penalties; to provide for exception to the public records law; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 2029 by Representative Townsend

AMENDMENT NO. 1

On page 9, line 19, following "by" and before "is" change "Section 1056(1)" to "R.S. 37:1056(1)"

AMENDMENT NO. 2

On page 12, line 15, following "R.S." and before "is" change "37:1041(3)" to "37:1041(C)(3)"

Rep. Townsend moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Psychaud
Alexander	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed

Daniel	Kenney	Strain
Darte	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Toomy
Downer	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	

Total—95

NAYS

Crowe	Tucker
Perkins	Walsworth

Total—4

ABSENT

Ansardi	Hunter	Martiny
Doerge	Kennard	Stelly

Total—6

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1408—

BY REPRESENTATIVES DEWITT AND JOHNS

AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1), (2)(b), and (3)(b) and (I)(4) and (5) and 1299.47(A)(1), (2)(b), and (3)(b) and (I)(2)(b) and (3) and to enact R.S. 40:1299.39.1(A)(3)(c) and (4) and (I)(6) and 1299.47(A)(3)(c) and (4) and (I)(4), relative to the state and private Medical Malpractice Acts; to provide relative to medical review panels; to provide for the inclusion of certain information in each request for a medical review panel; to provide for the payment of a filing fee; to provide for exceptions to and the waiver of the filing fee in certain circumstances; to provide that failure to pay the required fee shall invalidate the request for a medical review panel; to provide for the payment of the costs of the medical review panel; to provide for the refund of the filing fee under certain conditions; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 1408 by Representative DeWitt

AMENDMENT NO. 1

On page 13, after line 6, insert the following:

"Section 3. The provisions of this Act shall not affect claims filed before the effective date of this Act."

Rep. Johns moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright
Total—99		

NAYS

Total—0

ABSENT

Ansardi	Hunter	Martiny
Doerge	Kennard	Smith, J.H.—8th
Total—6		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 138—

BY REPRESENTATIVE TRICHE

AN ACT

To provide with respect to the Early Retirement and Payroll Reduction Act; to provide for a reduction in state employment and for early retirement of members of the Louisiana State Employees' Retirement System, including but not limited to provisions for eligibility, retirement benefits, restrictions on hiring of new employees, abolition of vacated positions, reductions in appropriated funds, and funding; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 138 by Representative Triche

AMENDMENT NO. 1

On page 2, lines 9 and 10, change "December 31, 2003" to "December 31, 2004"

AMENDMENT NO. 2

On page 3, line 1, change "December 31, 2003" to "December 31, 2004"

AMENDMENT NO. 3

On page 3, line 13, change "2003" to "2004"

AMENDMENT NO. 4

On page 4, line 27, change "December 31, 2003" to "December 31, 2004"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Engrossed House Bill No. 138 by Representative Triche

AMENDMENT NO. 1

On page 1, line 2, change "To provide" to "To enact R.S. 11:553(18) and to provide" and change "Act; to" to "Act; to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of Morehouse and Ouachita; to"

AMENDMENT NO. 2

On page 1, line 7, after "and funding;" insert "to provide for an effective date;"

AMENDMENT NO. 3

On page 1, between lines 12 and 13, insert the following:

"Section 1. R.S. 11:553(18) is hereby enacted to read as follows:

§553. Eligible judges and court officers

This Subpart shall apply to all present and future judges and court officers hereinafter enumerated:

* * *

(18) The judicial administrator of the Fourth Judicial District Court for the parishes of Morehouse and Ouachita and his deputy or deputies."

AMENDMENT NO. 4

On page 1, line 13, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 2, line 4, change "Section 2." to "Section 3." and on line 7, change "Section 3" to "Section 4"

AMENDMENT NO. 6

Page 26 HOUSE

47th Day's Proceedings - June 22, 2003

On page 2, line 13, change "Section 3." to "Section 4."

AMENDMENT NO. 7

On page 2, line 23, change "Section 4." to "Section 5." and on line 27, change "Section 5" to "Section 6"

AMENDMENT NO. 8

On page 3, line 6, change "Section 5." to "Section 6."

AMENDMENT NO. 9

On page 5, line 11, change "Section 6." to "Section 7." and on line 14, change "Section 5" to "Section 6"

AMENDMENT NO. 10

On page 5, line 15, change "Section 7." to "Section 8." and on lines 16 and 18, change "Section 5" to "Section 6"

AMENDMENT NO. 11

On page 5, line 21, change "Section 8." to "Section 9."

Rep. Triche moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Fruge	Perkins	
Futrell	Peychaud	
Total—100		

NAYS

Total—0

ABSENT

Ansardi	Doerge	Kennard
Broome	Hunter	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 410—

BY REPRESENTATIVES MCVEA AND STRAIN
AN ACT

To amend and reenact R.S. 11:144, relative to the Louisiana State Employees' Retirement System; to provide with respect to the repayment of refunded contributions from state, parochial, or municipal retirement systems; to provide for members of the Louisiana State Employees' Retirement System to purchase service credit earned in another system directly rather than repaying the refunded contributions to reestablish membership in such system; to provide for the actuarial sufficiency of such purchase; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Engrossed House Bill No. 410 by Representatives McVea and Strain

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:144" insert "and to enact R.S. 11:553(18)"

AMENDMENT NO. 2

On page 1, line 9, after "such purchase;" insert "to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of Morehouse and Ouachita; to provide for an effective date;"

AMENDMENT NO. 3

On page 1, line 14, after "reenacted" insert "and R.S. 11:553(18) is hereby enacted"

AMENDMENT NO. 4

On page 2, after line 19, insert the following:

"Section 1. R.S. 11:553(18) is hereby enacted to read as follows:

§553. Eligible judges and court officers

This Subpart shall apply to all present and future judges and court officers hereinafter enumerated:

* * *

(18) The judicial administrator of the Fourth Judicial District Court for the parishes of Morehouse and Ouachita and his deputy or deputies."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hoyt to Engrossed House Bill No. 410 by Representative McVea

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:144" insert "and 416(A)(3)"

AMENDMENT NO. 2

On page 1, line 9, after "such purchase;" insert "to provide for the reemployment of retirees; to provide for the benefit paid to such retirees;"

AMENDMENT NO. 3

On page 1, line 14, after "R.S. 11:144" delete "is" and insert "and 416(A)(3) are"

AMENDMENT NO. 4

On page 2, after line 19, insert the following:

* * *

§416. Employment of retirees

A. Regardless of age, if a retiree of the system is engaged or hereafter engages in employment which otherwise would render him eligible for membership in the system, he shall choose one of the following irrevocable options:

* * *

(3)(a) Option 3. The retiree may request immediate suspension of his benefit and become a member of this system, effective on the first day of reemployment. Upon such regaining of membership, he shall contribute thereafter at the current contribution rate as applicable to his position. Upon subsequent retirement, his suspended retirement allowance shall be restored to full force and effect. In addition, if he has worked and contributed for at least thirty-six months, his retirement allowance shall be increased by an amount attributable to his service and average compensation since reemployment based on the computation formula in effect at the time of subsequent retirement. If he has been reemployed for a period less than thirty-six months, upon termination of reemployment the contributions paid by the retiree since his reemployment shall, upon application, be refunded to the retiree. In no event shall the member receive duplicate credit for unused sick and annual leave that had been included in the computation of his original retirement allowance. Any supplemental benefit shall be based on reemployment service credit only and shall not include any other specific amount which may otherwise be provided in the regular retirement benefit computation formula. In the event of the member's death prior to subsequent retirement, payment of benefits to the designated beneficiary or survivor shall be in accordance with the option selected by the member at the time of his original retirement. No change in the option originally selected by the member shall be permitted except as provided in R.S. 11:446(C). In no event shall the supplemental benefit exceed an amount which, when combined with the original benefit, equals one hundred percent of the average compensation figure used to compute the supplemental benefit. Under no circumstances shall any person who has regained membership pursuant to the provisions of this Paragraph be allowed to purchase service credit for any period employed in the state service during which he continued to draw his retirement allowance.

(b) Notwithstanding the provisions of this Section or any other provision of law to the contrary, any retiree of the system who has at least thirty years of service credited to his account, has been retired for at least one year, is eligible to receive his full retirement benefits, and has been appointed by the governor to fill an unclassified civil service position shall be exempt from any increase, suspension or reduction of benefits received from this system as the result of reemployment.

* * *

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 410 by Representative McVea

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:144" insert "and to enact R.S. 11:448(B)(1) and (2)"

AMENDMENT NO. 2

On page 1, line 9, after "such purchase;" insert "to authorize the actuarial purchase of emoluments of office provided in lieu of salary; to authorize the recalculation of retirement benefits in limited circumstances;"

AMENDMENT NO. 3

On page 1, line 14, after "reenacted" insert "and R.S. 11:144" insert "and R.S. 11: 448(B)(1) and (2) are enacted"

AMENDMENT NO. 4

On page 2, after line 19, insert the following:

"§448. Plan participation

* * *

B. For purposes of this Section, final average compensation and creditable service shall remain fixed as they existed on the date of commencement of participation in the plan. Creditable service shall not include conversion of sick and annual leave.

(1) Any person who has completed participation in the Deferred Retirement Option Plan and continued employment such that he was employed by a member agency of the Louisiana State Employees' Retirement System on or after July 1, 2003, and is still a contributing member of the Louisiana State Employees' Retirement System, may upgrade all or a portion of service credit earned prior to entry into Deferred Retirement Option Plan by purchase made pursuant to R.S. 11:158. The balance in the employee's Deferred Retirement Option Plan account and any contribution made to the Deferred Retirement Option Plan account shall be unaffected by the recalculation of the retirement benefit.

(2) Final average compensation for service credit earned prior to entry into the Deferred Retirement Option Plan shall include the cash value of any emolument of office granted in lieu of salary, provided the member pays, at the time of the application for service credit, the total actuarial cost as provided in R.S. 11:158 and which cost shall completely offset the liability to the system for benefits attributed to the retirement credit for the emolument received.

* * *

§606. Deferred Retirement Option Plan participation

B.(1)

(2) If a member has completed his participation in the Deferred Retirement Option Plan prior to January 1, 2002, then that member will have the same option that a member has under R.S. 11:605, but only as to the service credited to his account after his participation in the Deferred Retirement Option Plan. ~~No service that was credited to a member's account prior to the commencement of his participation in the Deferred Retirement Option Plan can be upgraded under the provisions of this Subpart.~~ A member of the secondary component has the option of upgrading all or a portion of any service that was credited to the member's account prior to entering into the Deferred Retirement Option Plan by purchase made pursuant to R.S. 11:158, to upgrade any such service credit to the accrual rate established in the secondary component anytime prior to retirement. The payment shall completely offset any liability to the system for benefits attributed to the upgrade of the service credit. The balance in the Deferred Retirement Option Plan account and any contribution being made to the Deferred Retirement Option Plan account shall be unaffected by the recalculation of the retirement benefit."

Rep. McVea moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Fauchoux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Frige	Perkins	

Total—103

NAYS

Total—0

ABSENT

Doerge
Total—2

Kennard

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1442—

BY REPRESENTATIVE SWILLING

AN ACT

To amend and reenact R.S. 11:3689(A) and to enact R.S. 11:262(14), relative to the Harbor Police Retirement System; to provide with respect to the investment of funds; to provide for fiduciary and investment responsibilities and standards; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1442 by Representative Swilling

AMENDMENT NO. 1

On page 1, line 2, change "To amend and reenact R.S. 11:3689(A)" to "To amend and reenact R.S. 11:3683(2) and (3)(b), 3685(C) (introductory paragraph) and (4), and 3689(A)"

AMENDMENT NO. 2

On page 1, line 3, after "System;" insert "to provide for membership in the system; to allow membership by those retired from other public retirement systems; to provide with respect to the Deferred Retirement Option Plan; to add additional eligibility requirement for participation in the plan;"

AMENDMENT NO. 3

On page 1, line 12, change "R.S. 11:3689(A) is" to "R.S. 11:3683(2) and (3)(b), 3685(C) (introductory paragraph) and (4), and 3689(A) are"

AMENDMENT NO. 4

On page 2, between lines 2 and 3 insert the following:

"§3683. Membership

The membership of the retirement system shall be composed as follows:

* * *

(2) All persons who are employees as the term is defined in R.S. 11:3682(9) on August 1, 1971, ~~except those specifically excluded under Paragraph (3)(b) of this Section~~ shall become members as of that date unless within a period of thirty days next following, any such employee shall file with the Board of Trustees on a form prescribed by such Board

a notice of his election not to be covered in the membership of the system and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the retirement system.

(3)

* * *

(b) ~~No person~~ Any employee who is employed on the effective date of the Act which originated as House Bill No. 1441 of the 2003 Regular Session of the Legislature who has retired from service under any retirement system of this state partly or wholly financed by public funds, ~~and who is receiving retirement benefits therefrom, and who was prohibited from becoming a member of this system upon his initial employment solely on this basis~~ shall be eligible to become a member of this system ~~after retirement~~ prospectively only, beginning on the effective date of the Act which originated as House Bill No. 1441 of the 2003 Regular Session of the Legislature and provided he meets all other eligibility requirements; however, any such employee may purchase credit for previous service only in compliance with R.S. 11:158 provisions relating to actuarial calculation of purchase price.

* * *

§3685. Benefits

* * *

C. The provisions of this Subsection shall apply to those persons enrolled in the ~~deferred retirement option plan~~ Deferred Retirement Option Plan on or after July 1, 1995.

* * *

(4)(a) Participation in the DROP is an option available to any member of this retirement system who ~~meets all of the following requirements:~~

(a) ~~Is~~ is eligible to ~~immediately~~ retire immediately with a service retirement allowance from this retirement system:

(b) ~~Has~~ and has:

(i) Twelve years of creditable service, excluding unused sick and annual leave, and has attained the age of fifty-five; or

(ii) ~~not less than~~ At least twenty ~~but not more~~ but not more than thirty years of creditable service, including unused sick ~~leave~~ and ~~unused~~ annual leave, ~~credit~~, in this retirement system.

(b) For purposes of this Subsection, creditable service shall not include service in another retirement system which is reciprocally recognized by this retirement system under authority of R.S. 11:142.

* * *

Rep. Swilling moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker

Fruge

Perkins

Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Downer
Downs
Durand
Erdey
Fannin
Farrar
Fauchaux
Flavin
Frith
Total—102

Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Doerge
Total—3

Hill

Kennard

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 335—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3561(D) and 3561.1(A) and (B), relative to consumer credit; to provide relative to consumer loan licensees; to provide for change of control; to provide relative to fees for consumer loan licenses; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 335 by Representative Pinac

AMENDMENT NO. 1

Page 30 HOUSE

47th Day's Proceedings - June 22, 2003

On page 3, line 8 after "for" delete " a hearing" and insert "an informal meeting, not subject to the Administrative Procedure Act"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hollis and Michot to Engrossed House Bill No. 335 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 9:3561(D)" delete the remainder of the line and insert ", 3561.1(A) and (B), 3578.4(C) and 3578.6(A)(1), relative to"

AMENDMENT NO. 2

On page 1, line 5, after "licenses;" insert "to provide for an exception for attorney fees and costs; to provide for prohibited acts;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 9:3561(D)" delete the remainder of the line and insert ",3561.1(A) and (B), 3578.4(C) and 3578.6(A)(1), are hereby amended"

AMENDMENT NO. 4

On page 3, after line 26, insert the following:

"§3578.4. Finance charge and fees

* * *

C. ~~No~~ Except for reasonable attorney fees and costs awarded by a court, no other fees or charges may be assessed or collected on a deferred presentment transaction or small loan, including any other fees as may be provided for under ~~this~~ Chapter 2 of Title 9 of the Louisiana Revised Statutes of 1950 or any other law.

* * *

§3578.6. Prohibited acts

A licensee shall not:

(1) ~~Charge~~ Except for reasonable attorney fees and costs awarded by a court, charge, contract for, receive, or collect a loan finance charge or credit service charge, or any other fee or charge other than as provided in R.S. 9:3578.4.

* * *"

Rep. Pinac moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Psychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond

Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—102		

NAYS

Total—0

ABSENT

Doerge	Kennard	Welch
Total—3		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1393—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:919 and to enact R.S. 37:918(18), relative to the Louisiana State Board of Nursing; to provide for the authority of the board relative to the purchase or sale of immovable property and any improvements; to provide for the domicile of the offices that administer the provisions adopted by the board; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1393 by Representative Durand

AMENDMENT NO. 1

On page 1, line 17, after "funds" insert "with the approval of the State Bond Commission"

AMENDMENT NO. 2

On page 2, line 1, after "thereon" delete "with"

AMENDMENT NO. 3

On page 2, line 2 delete "approval of the State Bond Commission"

Rep. Durand moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinot	Wright
Total—102		

NAYS

Total—0

ABSENT

Dartez	Doerge	Kennard
Total—3		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1916—

BY REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 33:2333(B)(2)(a) and to repeal R.S. 33:2333(B)(3), relative to the disposition of stolen, seized, or relinquished property; to provide with respect to the disposition of noncontraband property; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 1916 by Representative Dartez

AMENDMENT NO. 1

On page 1, line 15, change "twenty" to "fifty"

Rep. Dartez moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Ansardi	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Morrell	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Welch
Faucheux	Nevers	Winston
Flavin	Odinot	Wooton
Frith	Perkins	Wright
Fruge	Peychaud	
Total—98		

NAYS

Total—0

ABSENT

Arnold	Jackson, L	Montgomery
Doerge	Johns	
Farrar	Kennard	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 862: Reps. Alario, Hammett, and Montgomery.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 2027: Reps. Martiny, DeWitt, and Wooton.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

HOUSE BILL NO. 713—

BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 32:295(A), (B)(2), (C), (D), and (H) and to enact R.S. 32:295(B)(3), (I), and (J), relative to child passenger restraint systems in motor vehicles; to provide for the age at which certain child restraint systems shall be used; to provide for definitions; to provide for situations in which passenger side airbag systems are activated; to provide relative to the nature of certain violations; to provide relative to penalties; and to provide for related matters.

HOUSE BILL NO. 1211—

BY REPRESENTATIVES BRUNEAU, DOWNER, AND MURRAY

AN ACT

To amend and reenact R.S. 18:31(C), 103(A), 104(A)(15) and (16), 110(B)(1), 111(B), 154(C), 401.1(C) and (D)(1), 423(H), 425(A)(1)(b) and (2), 435(A)(1), 463(A)(2), 552(B), 553(B)(4), 563, 564(C), 574(A)(2), 576(B) and (C), 1259(B)(1) and (4), 1284(F)(1), 1286(A), 1299.1(A), 1300.2(C)(2), 1300.3(B), 1306(A)(3), 1307(C), and 1354(C), to enact R.S. 18:18.1, 110(B)(3), 401.1(G), 401.2, 552(C), and 1309(E)(4) and (5), and to repeal R.S. 18:425(A)(3) and R.S. 36:742.1, relative to the Election Code; to make technical changes to the Election Code; to prohibit the commissioner of elections and certain unclassified civil service employees from engaging in political activities; to provide relative to the name a woman may use to register to vote; to provide relative to charges for preparation of lists of voter registration information; to provide relative to form and signature requirements on applications to register to vote; to provide for procedures in circumstances of election emergency; to provide for transmission of certain voter registration data where necessary for verification purposes; to provide relative to a designee attending a board of election supervisors meeting; to provide for filing a list of watchers to be present at the precinct; to provide relative to the certification of a candidate in the notice of candidacy; to provide for the secretary of state to issue information as necessary under the Help America Vote Act; to provide for the definition of casting a vote; to provide for procedures for assisted voting; to provide relative to the transmission of election results to the secretary of state by the clerks of court; to provide relative to the format of ballots and statements of propositions and the manner of marking on a ballot; to provide relative to recall petitions and written requests to delete or add from such petitions; to provide relative to mail applications to vote absentee by mail; to provide for procedures for when a voter fails to activate the cast ballot mechanism; to prohibit a parish custodian from appointing a candidate or his family member from serving at certain polling places; and to provide for related matters.

HOUSE BILL NO. 1935—

BY REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 47:463(A)(3), relative to special prestige license plates; to require an organization to prepay the secretary of the office of motor vehicles for one thousand license plates or provide a guarantee that one thousand license plates will be purchased before such a plate is created; and to provide for related matters.

SENATE BILL NO. 388—

BY SENATORS SCHEDLER, BAJOE, C. JONES AND HOLDEN

AN ACT

To enact R.S. 46:153.3(C), relative to medical vendor reimbursements; to prohibit restrictions on the prescribing of atypical antipsychotic drugs for Louisiana Medicaid recipients; to prohibit restrictions of prescription drugs for those Medicaid recipients who are diagnosed with HIV/AIDS; and to provide for related matters.

The conference committee reports for the legislative instruments above lie over under the rules.

Suspension of the Rules

On motion of Rep. Landrieu, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE BILLS

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 1116
Returned with amendments.

House Bill No. 1685
Returned with amendments.

House Bill No. 1852
Returned with amendments.

House Bill No. 2007
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

House Bills and Joint Resolutions Returned from the Senate with Amendments

Rep. Landrieu asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just

returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE BILL NO. 1116—
BY REPRESENTATIVE LANDRIEU
AN ACT

To enact R.S. 49:214.16, relative to coastal restoration; to establish the America's WETLAND Way across coastal Louisiana; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1116 by Representative Landrieu

AMENDMENT NO. 1

On page 1, line 3, change "Way" to "Trail"

AMENDMENT NO. 2

On page 1, line 7, change "Way" to "Trail"

AMENDMENT NO. 3

On page 1, line 8, change "Way" to "Trail"

AMENDMENT NO. 4

On page 1, line 10, change "Way" to "Trail"

AMENDMENT NO. 5

On page 2, line 2, change "way" to "trail"

AMENDMENT NO. 6

On page 2, line 4, change "way" to "trail"

Rep. Landrieu moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Psychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Stelly

Crowe	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinot	

Total—98

NAYS

Quezaire
Total—1

ABSENT

Curtis	Green	Kennard
Doerge	Hutter	Sneed
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1685—
BY REPRESENTATIVES PEYCHAUD AND MURRAY
AN ACT

To amend and reenact Sections 7(c), 9(b), (d), and (e), and 20(l) of Act No. 170 of the 1968 Regular Session as amended by Act No. 299 of the 1972 Regular Session and Act No. 135 of the 1994 Third Extraordinary Session, relative to the New Orleans Community Improvement Act; to provide relative to electorate approval of community improvement plans undertaken by the New Orleans Redevelopment Authority; to provide with respect to disposition of property by the authority; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Reengrossed House Bill No. 1685 by Representative Psychaud

AMENDMENT NO. 1

On page 2, line 17, after "district." insert the following:

"However, an affirmative vote of the majority in number of the qualified electors voting in an election to authorize the issuance of any bonds the proceeds of which will be used to provide any part or all of the municipality's share of project costs shall constitute electorate approval of the redevelopment plan or project and the municipality and the authority may proceed as herein authorized to carry it out."

Rep. Psychaud moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

Page 34 HOUSE

47th Day's Proceedings - June 22, 2003

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Salter
Broome	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Schwegmann
Capella	Hudson	Shaw
Carter, K	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Ansardi	Johns	Martiny
Doerge	Kennard	Romero
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1852—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 13:996.60, relative to judicial expense funds of district courts; to establish a judicial expense fund for a district court comprised of two parishes with one parish having a population of between fourteen thousand seven hundred fifty and fifteen thousand two hundred fifty and one parish having a population between twenty-one thousand two hundred eighty and twenty-one thousand five hundred according to the most recent federal decennial census; to provide for assessment of fees in civil and criminal matters; to require the clerks of court to place all sums collected into a separate account designated as the judicial expense fund; to require annual audits; to provide for uses of the fund; to prohibit the use of the fund for salaries; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Fields, Holden and Marionneaux to Engrossed House Bill No. 1852 by Representative R.Carter

AMENDMENT NO. 1

On page 1, line 2, change "13:996.60" to "13:992.1 and 996.60"

AMENDMENT NO. 2

On page 1, line 2, after "courts;" insert "to authorize the Nineteenth Judicial District Court and the clerk of court of the Nineteenth Judicial District Court to impose additional costs of court and service charges in certain civil matters; to provide for collection of such costs and charges; to establish a judicial building fund; to provide for the dedication and disbursement of such funds;"

AMENDMENT NO. 3

On page 1, line 15, change "13:996.60 is" to "13:992.1 and 996.60 are"

AMENDMENT NO. 4

On page 1, after lines 15, insert the following:

"§992.1. Judicial building fund

A. The Nineteenth Judicial District Court and the clerk of court of the Nineteenth Judicial District are hereby authorized to impose the following additional costs of court and service charges provided for in Subsection B of this Section in all cases over which the court has jurisdiction, until the bonded indebtedness provided for in Subsection C of this Section is paid. The costs and charges may be up to and include the maximum amount set forth and shall be imposed on order of the judges en banc. Such costs and charges shall be paid to the clerk of court when the filing is made.

B.(1) Until such time that public bids are let for the construction project the amounts of the costs and charges which may be imposed shall be as provided in this Paragraph.

<u>Service Provided</u>	<u>Amount of Cost Authorized</u>
<u>(1) Recordings</u>	<u>Up to ten dollars per recordation</u>
<u>(2) Civil Filings</u>	<u>Up to twenty-five dollars per civil filing</u>
<u>(3) Jury Trials</u>	<u>Up to one hundred dollars per jury requested</u>
<u>(4) Class Actions</u>	<u>Up to one thousand twenty-five dollars per class certified</u>

(2) After public bids are let for the construction project the amounts of costs and charges which may be imposed shall be as provided in this Paragraph.

<u>Service Provided</u>	<u>Amount of Cost Authorized</u>
<u>(a) Recordings</u>	<u>Up to twenty dollars per recordation</u>
<u>(b) Civil Filings</u>	<u>Up to one hundred dollars per civil filing</u>
<u>(c) Jury Trials</u>	<u>Up to two hundred dollars per jury requested</u>
<u>(d) Class Actions</u>	<u>Up to two thousand fifty dollars per class certified</u>

C. The monies generated pursuant to this Section shall be forwarded by the clerk of court and sheriff to the department of finance for East Baton Rouge Parish and shall be placed within a separate

account within the judicial expense fund created under the provisions of R.S. 13:992. These monies shall be dedicated to the design, planning, feasibility, acquisition, construction, equipping, operating and maintaining a new facility to house the Nineteenth Judicial District Court, the Family Court of East Baton Rouge Parish, the offices of the clerk of court for the Nineteenth Judicial District, and such other ancillary agencies as may be necessary. No monies generated pursuant to this Section shall be used for payment of any bonded indebtedness involving site acquisition or construction of a new facility unless approved by the Joint Legislative Committee on the Budget and the State Bond Commission. For the purposes of this Section, "equipping" shall include, but not be limited to, expenditures for the purchase and maintenance of computer software and hardware for the agencies housed in the judicial facility.

D. If public bids are not let for the construction of a new facility as provided in this Section within two years of the effective date of this Act, then the authority provided in this Section to levy the additional costs and charges shall terminate and be null and void. Thereafter, no costs or charges authorized in this Section shall be imposed or collected. Should the authority to levy such costs and charges terminate as set forth herein, all funds collected and deposited in the separate account as provided in this Section shall be used solely for capital improvements to the facility then housing the Nineteenth Judicial Court.

* * *

Rep. Robert Carter moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pierre
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Romero
Broome	Hebert	Salter
Bruneau	Honey	Scalise
Capella	Hopkins	Schwegmann
Carter, K	Hudson	Shaw
Carter, R	Hunter	Smith, G.—56th
Crane	Hutter	Smith, J.D.—50th
Curtis	Iles	Smith, J.H.—8th
Damico	Jackson, L	Smith, J.R.—30th
Daniel	Jackson, M	Sneed
Dartez	Kenney	Stelly
Devillier	Lancaster	Strain
Diez	LeBlanc	Thompson
Downer	Lucas	Toomy
Downs	McDonald	Townsend
Durand	McVea	Triche
Erdey	Montgomery	Waddell
Fannin	Morrell	Walker
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Fruge	Peychaud	
Total—86		

NAYS

Baudoin	Perkins	Walsworth
Bowler	Schneider	
Crowe	Tucker	
Total—7		

ABSENT

Ansardi	Hill	LaFleur
Bruce	Johns	Landrieu
Cazayoux	Katz	Martiny
Doerge	Kennard	Swilling
Total—12		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 2007 (Substitute for House Bill No. 1502 by Representative Landrieu)—

BY REPRESENTATIVES LANDRIEU, MURRAY, AND PEYCHAUD
AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.11, relative to expropriation by a declaration of taking; to provide for legislative intent; to provide for definitions; to provide for applicability to municipalities with a population greater than four hundred fifty thousand; to provide for the authority to expropriate; to provide for the contents of the petition; to provide for a determination of value; to provide for vesting of title; to provide for notice; to provide for opposition and waiver of defenses; to provide for procedures and delays for filing an answer; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 2007 by Representative Landrieu

AMENDMENT NO. 1

On page 5, line 9, between "not" and "object" insert "(1)"

AMENDMENT NO. 2

On page 5, line 10, between "purpose" and the comma "," insert "or (2) he fails to show that the blighted conditions of the property have been or are in the process of being rehabilitated"

AMENDMENT NO. 3

On page 5, line 13, between "(E)" and "456" change the "and" to a comma ","

AMENDMENT NO. 4

On page 5, line 14, between "(B)" and "as" insert ", and"

AMENDMENT NO. 5

On page 7, line 24, between "that" and "the property" insert "(1)"

AMENDMENT NO. 6

On page 7, line 25, between "purpose" and "shall" insert "or (2) the blighted conditions of the property have been or are in the process of being rehabilitated,"

Page 36 HOUSE

47th Day's Proceedings - June 22, 2003

AMENDMENT NO. 7

On page 8, delete lines 6 through 14 in their entirety

AMENDMENT NO. 8

On page 8, at the beginning of line 15, change "C." to "B."

AMENDMENT NO. 9

On page 8, at the end of line 17, delete "and the"

AMENDMENT NO. 10

On page 8, line 18, delete "failure of the defendant to appear at the rule to show cause,"

AMENDMENT NO. 11

On page 8, line 19, after "dismiss" delete the remainder of the line and insert a period "."

AMENDMENT NO. 12

On page 8, at the beginning of line 20, change "the" to "The"

AMENDMENT NO. 13

On page 8, at the end of line 21, delete "or rule to show"

AMENDMENT NO. 14

On page 8, at the beginning of line 22, delete "cause,"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 2007 by Representative Landrieu

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Local and Municipal Affairs adopted by the Senate on June 19, 2003, on line 2, following "9," delete the remainder of the line and insert "between "pleading," and "he" insert "(1)""

AMENDMENT NO. 2

On page 2, line 26, following "property" and before "vacant" change "are" to "is"

AMENDMENT NO. 3

On page 10, line 7, following "R.S. 19:136.7" and before the comma ",", change "(C)" to "(B)"

Rep. Landrieu moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Arnold	Glover	Pinac

Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schwegmann
Capella	Hudson	Shaw
Carter, K	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	LaFleur	Swilling
Darte	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Total—99		

NAYS

Schneider
Total—1

ABSENT

Ansardi	Kennard	Martiny
Doerge	Kenney	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

Message from the Senate

HOUSE BILLS

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 1404
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

House Bills and Joint Resolutions Returned from the Senate with Amendments

Rep. Townsend asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions

just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE BILL NO. 1404—
BY REPRESENTATIVE TOWNSEND
AN ACT

To enact R.S. 33:2738.84, relative to local sales and use taxes; to authorize certain parishes and municipalities to levy and collect an additional sales and use tax; to provide for the use of the proceeds derived from such tax; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1404 by Representative Townsend

AMENDMENT NO. 1

On page 2, at the bottom of the page, insert:

"(3) Notwithstanding any other provision of law to the contrary, the governing authority of a parish having a population in excess of four hundred and seventy thousand persons, as determined by the most recent federal decennial census, may levy and collect an additional one percent sales and use tax within the parish under the provisions of Article VI, Section 29(B) of the Constitution of Louisiana, which additional sales and use tax shall not be subject to the combined rate limitations established in Article VI, Section 29(A) of the Constitution of Louisiana, nor any other provision of law to the contrary."

Rep. Townsend moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:
YEAS

Mr. Speaker	Glover	Pinac
Alario	Green	Pitre
Arnold	Guillory	Powell
Baylor	Hammett	Quezaire
Bowler	Heaton	Richmond
Broome	Hebert	Romero
Bruce	Hill	Salter
Capella	Honey	Schneider
Carter, K	Hopkins	Schwegmann
Carter, R	Hudson	Shaw
Cazayoux	Hunter	Smith, G.—56th
Crane	Hutter	Smith, J.D.—50th
Curtis	Iles	Smith, J.H.—8th
Damico	Jackson, L	Smith, J.R.—30th
Daniel	Jackson, M	Sneed
Dartez	Johns	Stelly
Devillier	Kenney	Strain
Diez	Lancaster	Swilling
Downer	LeBlanc	Thompson
Downs	Lucas	Toomy
Durand	McDonald	Townsend
Erdey	McVea	Triche
Fannin	Montgomery	Waddell
Farrar	Morrell	Walker

Faucheux
Flavin
Frith
Fruge
Gallot
Total—86

Morrish
Murray
Odinet
Peychaud
Pierre

Welch
Winston
Wooton
Wright

NAYS

Alexander
Beard
Crowe
Total—8

Futrell
Landrieu
Perkins

Tucker
Walsworth

ABSENT

Ansardi
Baldone
Baudoin
Bruneau
Total—11

Doerge
Katz
Kennard
LaFleur

Martiny
Nevers
Scalise

The amendments proposed by the Senate were concurred in by the House.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

Motion

Rep. Romero moved to call Senate Bill No. 732 from the calendar.

Rep. Dartez objected.

By a vote of 52 yeas and 34 nays, the bill was called from the calendar.

SENATE BILL NO. 732—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:322(I), relative to crawfish traps; to reduce the minimum size mesh for commercial crawfish traps; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Dartez sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dartez to Engrossed Senate Bill No. 732 by Senator Romero

AMENDMENT NO. 1

On page 1, line 13, change "eleven-sixteenths" to "three-quarters"

AMENDMENT NO. 2

On page 2, line 2, delete "not"

Rep. Dartez moved the adoption of the amendments.

Page 38 HOUSE

47th Day's Proceedings - June 22, 2003

Rep. Romero objected.

By a vote of 37 yeas and 58 nays, the amendments were rejected.

Rep. Romero moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrish
Alario	Fruge	Murray
Alexander	Gallot	Nevers
Ansardi	Green	Odinet
Arnold	Guillory	Peychaud
Baudoin	Hammett	Pierre
Baylor	Heaton	Pinac
Beard	Hebert	Pitre
Broome	Hill	Powell
Bruce	Honey	Quezaire
Bruneau	Hopkins	Richmond
Capella	Hudson	Romero
Carter, K	Hunter	Scalise
Carter, R	Hutter	Schneider
Cazayoux	Iles	Schwegmann
Crane	Jackson, L	Shaw
Crowe	Jackson, M	Smith, G.—56th
Curtis	Johns	Smith, J.H.—8th
Damico	Katz	Smith, J.R.—30th
Daniel	Kenney	Sneed
Diez	LaFleur	Stelly
Downer	Landrieu	Strain
Downs	LeBlanc	Swilling
Durand	Lucas	Thompson
Erdey	Martiny	Waddell
Fannin	McDonald	Walker
Farrar	McVea	Welch
Faucheux	Montgomery	Wooton
Flavin	Morrell	Wright
Total—87		

NAYS

Baldone	Glover	Townsend
Bowler	Perkins	Tucker
Dartez	Salter	Winston
Devillier	Smith, J.D.—50th	
Futrell	Toomy	
Total—13		

ABSENT

Doerge	Lancaster	Walsworth
Kennard	Triche	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Romero moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Winston, and under a suspension of the rules, the above roll call was corrected to reflect her as voting nay.

SENATE BILL NO. 202— BY SENATOR BOISSIERE

AN ACT

To repeal Act No. 293 of the 1976 Regular Session, relative to the ownership of building property by certain retirement systems; to provide with respect to the ownership of building property of the Teachers' Retirement System of Louisiana, the Louisiana State Employees' Retirement System and the School Employees' Retirement System of Louisiana; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Schneider sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 202 by Senator Boissiere

AMENDMENT NO. 1

On page 1, between lines 12 and 13, insert:

"Section 2. Any actions taken by either or both of the systems regarding ownership of or improvements to the property which is the subject matter of Act No. 293 of the 1976 Regular Session shall be reported to the House and Senate committees on retirement."

AMENDMENT NO. 2

On page 1, at the beginning of line 13, change "Section 2." to "Section 3."

On motion of Rep. Schneider, the amendments were adopted.

Rep. Schneider moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling

Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright

Total—102

NAYS

Total—0

ABSENT

Doerge	Hill	Kennard
--------	------	---------

Total—3

The Chair declared the above bill was finally passed.

Rep. Schneider moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 332—
BY SENATOR CRAVINS

AN ACT

To enact Chapter 4 of Title XVI of the Children's Code, to be comprised of Articles 1661 through 1673, and to repeal Children's Code Articles 1623 through 1657, relative to the Interstate Compacts Affecting Children; to provide for the adoption of a revised Interstate Compact for Juveniles; to authorize the state to join the Interstate Compact for Juveniles; to provide for its purpose; to provide for definitions; to provide for the form of the compact; to create the Interstate Commission for Juveniles; to provide for its membership and duties; to create a State Council for Interstate Juvenile Supervision; to provide for its membership and duties; to provide for an effective date; to repeal a prior compact; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Martiny moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann

Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downer	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	
Fruge	Odinet	

Total—100

NAYS

Total—0

ABSENT

Ansardi	Kennard	Wright
Doerge	Smith, G.—56th	

Total—5

The Chair declared the above bill was finally passed.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 383—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact Children's Code Art. 603(13)(b), and Code of Evidence Art. 511(A)(1), relative to children in need of care; to provide for mandatory reporting by a member of the clergy; to provide for a confidential communication exception to the mandatory reporter designation; to provide for the definition of a clergyman; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Martiny, the bill was returned to the calendar.

Recess

On motion of Rep. Welch, the Speaker declared the House at recess until 4:30 P.M.

After Recess

Speaker DeWitt called the House to order at 4:40 P.M.

ROLL CALL

The roll being called, the following members answered to their names:

Page 40 HOUSE

47th Day's Proceedings - June 22, 2003

PRESENT

Mr. Speaker	Green	Pierre
Alario	Guillory	Pinac
Alexander	Hammett	Pitre
Ansardi	Heaton	Powell
Arnold	Hill	Quezaire
Baldone	Honey	Richmond
Baylor	Hopkins	Romero
Beard	Hudson	Salter
Bowler	Hunter	Scalise
Broome	Hutter	Schneider
Bruneau	Iles	Schwegmann
Capella	Jackson, L.	Shaw
Carter, R	Jackson, M	Smith, G.—56th
Cazayoux	Johns	Smith, J.D.—50th
Crane	Katz	Smith, J.H.—8th
Crowe	Kenney	Smith, J.R.—30th
Curtis	LaFleur	Sneed
Damico	Lancaster	Stelly
Daniel	Landrieu	Strain
Diez	LeBlanc	Swilling
Downer	Lucas	Thompson
Durand	Martiny	Townsend
Erdey	McDonald	Triche
Fannin	McVea	Tucker
Farrar	Montgomery	Waddell
Fauchoux	Morrell	Walker
Flavin	Morrish	Walsworth
Frith	Murray	Welch
Fruge	Nevers	Winston
Futrell	Odinet	Wooton
Gallot	Perkins	Wright
Glover	Peychaud	
Total—95		

ABSENT

Baudoin	Devillier	Kennard
Bruce	Doerge	Toomy
Carter, K	Downs	
Dartez	Hebert	
Total—10		

The Speaker announced there were 95 members present and a quorum.

House Business Resumed

SENATE BILL NO. 61— BY SENATOR C. JONES

AN ACT

To enact Part III-A of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2326 through 2330, relative to economic development activities; to provide for the creation of the Monroe and Northeast Louisiana Technology and Business Incubation Center; to provide definitions; to provide for qualifications; to provide for grants; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hunter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 61 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 2, after "To enact" insert "R.S. 24:513(A)(1)(b)(v) and (1)(3) and"

AMENDMENT NO. 2

On page 1, line 7, after "for grants;" insert "to add to the entities subject to audit and review by the legislative auditor;"

AMENDMENT NO. 3

On page 1, line 9, after "Section 1." insert "R.S. 24:513(A)(1)(b)(v) and (1)(3) and"

AMENDMENT NO. 4

On page 1, line 10, after "2330," and before "hereby" delete "is" and insert "are"

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert the following:

"§513. Powers and duties of legislative auditor; audit reports as public records; assistance and opinions of attorney general; frequency of audits; subpoena power

A.(1)

* * *

(b) For the sole purpose of this Subsection, a quasi public agency or body is defined as:

* * *

(v) Any organization, either not for profit or for profit, which is subject to the open meetings law and derives a portion of its income from payments received from any public agency or body.

* * *

I.

* * *

(3) Notwithstanding the provisions of Subparagraph (1)(d) of this Subsection, any auditee contained in Paragraph (A)(1)(b)(v) of this Section shall be audited in accordance with Subitem (aa) of Item (i) of this Subsection when it has received fifty thousand or less in public funds in any one fiscal year. Any such auditee shall be audited in accordance with Item (i) of this Subsection when it has received more than fifty thousand dollars in public funds in any one fiscal year. Any such auditee shall be audited in accordance with Item (iii) of this Subsection when it has received three hundred fifty thousand or more in public funds in any one fiscal year. Any such auditee shall be audited in accordance with Item (iv) of this Subsection when it has received three million five hundred thousand dollars or more in public funds.

* * *"

On motion of Rep. Hunter, the amendments were adopted.

Rep. Hunter moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baylor	Hill	Richmond
Beard	Honey	Romero
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	McDonald	Triche
Durand	McVea	Tucker
Erdey	Montgomery	Waddell
Fannin	Morrell	Walker
Farrar	Morrish	Walsworth
Faucheux	Murray	Welch
Flavin	Nevers	Winston
Frith	Odinet	Wooton
Futrell	Perkins	Wright
Gallot	Peychaud	
Total—95		

NAYS

Total—0

ABSENT

Ansardi	Doerge	Martiny
Baudoin	Fruge	Schneider
Broome	Hebert	
Dartez	Kennard	
Total—10		

The Chair declared the above bill was finally passed.

Rep. Hunter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 504—
BY SENATOR DARDENNE**AN ACT**

To enact Part II-A of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:214.51, relative to funds for coastal restoration; to create the Louisiana Coastal Restoration Fund; to provide for sources of funding and for authorized uses; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pitre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baylor	Hill	Richmond
Beard	Honey	Romero
Broome	Hopkins	Salter
Bruneau	Hudson	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kenney	Sneed
Daniel	LaFleur	Stelly
Devillier	Landrieu	Strain
Diez	LeBlanc	Swilling
Downer	Lucas	Thompson
Downs	Martiny	Toomy
Durand	McDonald	Townsend
Erdey	McVea	Triche
Fannin	Montgomery	Tucker
Farrar	Morrell	Waddell
Faucheux	Morrish	Walker
Flavin	Murray	Walsworth
Frith	Nevers	Welch
Fruge	Odinet	Winston
Futrell	Perkins	Wooton
Gallot	Peychaud	Wright
Total—96		

NAYS

Total—0

ABSENT

Ansardi	Bruce	Hebert
Baudoin	Dartez	Kennard
Bowler	Doerge	Lancaster
Total—9		

The Chair declared the above bill was finally passed.

Rep. Pitre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 593—
BY SENATOR SCHEDLER**AN ACT**

To enact R.S. 44:3(A)(7), relative to public records; to provide that certain records or information contained therein which are in the custody of the Louisiana Bureau of Criminal Identification and Information shall not be subject to disclosure; to provide for exceptions; and to provide for related matters.

Called from the calendar.

Read by title.

Page 42 HOUSE

47th Day's Proceedings - June 22, 2003

Rep. Downer moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Psychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Frige	Odinet	Wright
Futrell	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Baldone	Doerge	Richmond
Capella	Hebert	
Dartez	Kennard	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Downer moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 683—

BY SENATORS ULLO AND HAINKEL

AN ACT

To repeal R.S. 33:1559, relative to extra compensation for coroners; to repeal provisions for extra compensation for coroners payable by the state and parish governing authorities; to provide for effective dates; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. LeBlanc sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 683 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 4, after "for" delete the remainder of the line and insert "effectiveness and an effective date; and to"

AMENDMENT NO. 2

On page 1, delete lines 8 through 12 in their entirety and insert the following:

"Section 2.A. Notwithstanding any contrary provision of this Act, the repeal of R.S. 33:1559 shall not be applicable for the remainder of any term for any coroner who is appointed or elected to the office of coroner for a term which commences or which is in existence prior to the effective date of this Act.

B. Section 1 of this Act shall be effective as to all coroners appointed to the office of coroner after this Act becomes effective.

C. Section 1 of this Act shall be effective as to all terms of office of coroner commencing after this Act becomes effective.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. LeBlanc, the amendments were adopted.

Rep. LeBlanc moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frige	Psychaud
Alexander	Futrell	Pierre
Arnold	Glover	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Hill	Schneider
Beard	Hopkins	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Iles	Smith, G.—56th
Carter, R	Johns	Smith, J.H.—8th
Cazayoux	Katz	Smith, J.R.—30th
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Daniel	LeBlanc	Thompson
Devillier	Lucas	Tucker
Diez	McDonald	Waddell
Downs	McVea	Walsworth
Erdey	Morrish	Welch
Fannin	Murray	Winston
Faucheux	Odinet	Wright
Flavin	Perkins	
Total—62		

NAYS

Alario	Green	Richmond
Ansardi	Heaton	Romero
Bowler	Honey	Salter
Broome	Hutter	Scalise
Capella	Jackson, L	Smith, J.D.—50th
Carter, K	Jackson, M	Sneed
Crane	Lancaster	Swilling
Damico	Landrieu	Toomy
Farrar	Martiny	Townsend
Frith	Montgomery	Walker
Gallot	Quezaire	Wooton
Total—33		

ABSENT

Dartez	Hebert	Nevers
Doerge	Hudson	Triche
Downer	Kennard	
Durand	Morrell	
Total—10		

The Chair declared the above bill was finally passed.

Rep. LeBlanc moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Recess

On motion of Rep. Bruneau, the Speaker declared the House at recess until 8:00 P.M.

After Recess

Speaker DeWitt called the House to order at 8:00 P.M.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Fruge	Nevers
Alario	Futrell	Odinot
Alexander	Gallot	Perkins
Ansardi	Glover	Peychaud
Arnold	Green	Pierre
Baldone	Guillory	Pinac
Baudoin	Hammett	Pitre
Baylor	Heaton	Powell
Beard	Hebert	Quezaire
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Walker

Fannin	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Total—99		

ABSENT

Doerge	Kennard	Toomy
Downer	Richmond	Waddell
Total—6		

The Speaker announced there were 99 members present and a quorum.

House Business Resumed**SENATE BILL NO. 383—**
BY SENATOR SCHEDLER**AN ACT**

To amend and reenact Children's Code Art. 603(13)(b), and Code of Evidence Art. 511(A)(1), relative to children in need of care; to provide for mandatory reporting by a member of the clergy; to provide for a confidential communication exception to the mandatory reporter designation; to provide for the definition of a clergyman; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Perkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Reengrossed Senate Bill No. 383 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 14, after "ordained" and before "deacon" insert "clerical"

Rep. Perkins moved the adoption of the amendments.

Rep. Devillier objected.

By a vote of 59 yeas and 21 nays, the amendments were adopted.

Rep. Martiny moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Nevers
Alario	Frith	Odinot
Alexander	Fruge	Perkins
Ansardi	Futrell	Peychaud
Arnold	Gallot	Pinac
Baldone	Green	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Salter
Bowler	Hill	Scalise

Page 44 HOUSE

47th Day's Proceedings - June 22, 2003

Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kenney	Strain
Curtis	LaFleur	Thompson
Damico	Lancaster	Toomy
Daniel	Landrieu	Triche
Dartez	LeBlanc	Tucker
Devillier	Lucas	Waddell
Diez	Martiny	Walker
Downs	McDonald	Walsworth
Durand	McVea	Welch
Erdey	Montgomery	Winston
Fannin	Morrell	Wooton
Farrar	Morrish	Wright
Faucheux	Murray	
Total—92		

NAYS

Total—0

ABSENT

Doerge	Jackson, L	Smith, J.D.—50th
Downer	Kennard	Swilling
Glover	Pierre	Townsend
Guillory	Richmond	
Honey	Romero	
Total—13		

The Chair declared the above bill was finally passed.

Rep. Martiny moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Heaton, and under a suspension of the rules, the above roll call was corrected to reflect him as voting yea.

SENATE BILL NO. 997— BY SENATORS SCHEDLER AND HAINKEL AN ACT

To amend and reenact R.S. 39:11(A) and R.S. 39:127(C), relative to the transfer and reallocation of space in state owned buildings or premises leased by the state; to provide with regard to the authority of the commissioner of administration and the division of administration; to provide for prior approval by the Joint Legislative Committee on the Budget; to provide for applicability and for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Winston sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Winston to Engrossed Senate Bill No. 997 by Senators Schedler and Hainkel

AMENDMENT NO. 1

On page 2, at the end of line 8, before the period "." insert a comma "," and insert "or a subcommittee thereof"

AMENDMENT NO. 2

On page 2, line 18, after "Budget" and before the period "." insert a comma "," and insert "or a subcommittee thereof"

On motion of Rep. Winston, the amendments were adopted.

Rep. LeBlanc sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed Senate Bill No. 997 by Senators Schedler and Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 39:11(A)" delete "and R.S. 39:127(C)," and insert "and 127(C) and R.S. 49:150.1,"

AMENDMENT NO. 2

On page 1, line 4, after "state;" and before "to provide" insert "to provide for the allocation of space in the state capitol;"

AMENDMENT NO. 3

On page 2, between lines 21 and 22, insert the following:

"Section 2. R.S. 49:150.1 is hereby amended and reenacted to read as follows:

"§150.1. State capitol complex; allocation of space; maintenance; law enforcement officer and firefighter memorial

A. Notwithstanding any other provision of law to the contrary, and particularly any contrary provision of ~~R.S. 49:146~~ R.S. 39:127, the allocation and use of space within the state capitol and any additions or appurtenances thereto, pentagon courts barracks buildings, and the Old Arsenal Magazine Museum shall be as provided in this Subpart Section. ~~The provisions of this Subpart shall apply to the subbasement, basement, and all floors of the state capitol, all buildings in the pentagon courts, and the Old Arsenal Museum.~~

B. The fourth floor and three floors of the state capitol building shall be allocated to and be used by the governor for his office, the offices of the members of his personal staff, and the offices of such other personnel of agencies within the office of the governor as the governor shall determine.

C. ~~In addition to the provisions of Subsection B herein, four floors of the state capitol building shall be designated for use by the attorney general and one One~~ One floor of the state capitol building shall be designated for use by the treasurer and the secretary of state. That space leased to members of the press on July 1, 1979 by the division of administration shall constitute the press area of the capitol and shall be under the control of the governor; provided however, if renovations require temporary or permanent reassignment of the press to another area of the capitol such reassignment shall be determined and made jointly by the governor, the speaker of the ~~house of representatives~~ House of Representatives, and the president of the ~~senate~~ Senate.

D. The designation of the ~~eight~~ floors as set forth in ~~Subsection B and C herein~~ Subsections B and C of this Section, not including the

fourth floor, shall be jointly determined by the governor, the speaker of the ~~house of representatives~~ House of Representatives, and the president of the ~~senate~~ Senate.

E.(1) All areas of the state capitol, pentagon ~~courts~~ barracks buildings, and Old Arsenal ~~Magazine~~ Museum not allocated under the provisions of Subsections B and C ~~herein of this Section~~ shall be for the sole use of the legislature, its agencies and officers, and the employees of the legislature and its agencies. ~~In addition, the former nurses' dormitory at the Our Lady of the Lake Hospital, located on Capitol Lake, shall be for the sole use of the legislature, its agencies and officers, and the employees of the legislature and its agencies until such time as it shall be renovated in accordance with the Capitol Complex Master Plan and it shall then revert to the control of the division of administration.~~

(2) ~~The time at which such renovation shall begin shall be determined jointly by the President of the Senate, the Speaker of the House of Representatives, and the commissioner of administration. The allocation of these areas shall be made by the legislature by joint rule or through the Legislative Budgetary Control Council. The four floors of the state capitol designated for use by the attorney general prior to January 1, 2004, shall be allocated as follows:~~

(a) ~~Two floors shall be allocated to the Senate and the designation of the use of those two floors shall be determined by the president of the Senate.~~

(b) ~~Two floors shall be allocated to the House of Representatives and the designation of the use of those two floors shall be determined by the speaker of the House of Representatives.~~

F. Except as otherwise provided in this Section, the superintendent of state buildings shall have charge of the management, operation, and maintenance of the state capitol building, pentagon ~~courts~~ barracks buildings, the Old Arsenal ~~Magazine~~ Museum, and the capitol complex grounds. In the performance of the duties specified in this Subsection, the superintendent shall be under the authority and direction of the governor, the speaker of the ~~house of representatives~~ House of Representatives, and the president of the ~~senate~~ Senate.

G. In accordance with R.S. 25:781 through 785 and subject to the joint approval and oversight of the governor, the president of the Senate, and the speaker of the House of Representatives, the superintendent of state buildings shall:

(1) Set aside and maintain an area on the grounds of the state capitol east of the Old Arsenal Museum for a memorial honoring law enforcement officers and firefighters who are killed in the line of duty;

(2) Plan, implement, and maintain the memorial itself; and

(3) Establish and maintain a fund to consist of private donations, grants, and other similar, but non-state, monies which he shall use with respect to the establishment, and maintenance of the memorial."

AMENDMENT NO. 4

On page 2, delete line 22, and insert the following:

"Section 3. The provisions of Section 1 of this Act shall apply to all reallocation or"

AMENDMENT NO. 5

On page 2, line 23, after "date of" and before "this Act" insert "Section 1 of"

AMENDMENT NO. 6

On page 2, delete line 24, and insert the following:

"Section 4. The provisions of Sections 1 and 3 of this Act and of this Section shall become effective upon signature by the"

AMENDMENT NO. 7

On page 3, at the end of line 3, after "approval." insert the following:

"The provisions of Section 2 of this Act shall become effective on January 1, 2004."

On motion of Rep. LeBlanc, the amendments were adopted.

Rep. Winston moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Green	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Salter
Baylor	Hill	Scalise
Beard	Hopkins	Schneider
Bowler	Hudson	Schwegmann
Broome	Hunter	Shaw
Bruce	Hutter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Capella	Jackson, M	Smith, J.H.—8th
Carter, K	Johns	Smith, J.R.—30th
Carter, R	Katz	Sneed
Cazayoux	Kenney	Stelly
Crane	LaFleur	Strain
Crowe	Lancaster	Thompson
Curtis	Landrieu	Toomy
Damico	LeBlanc	Townsend
Daniel	Lucas	Triche
Devillier	Martiny	Tucker
Diez	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinot	

Total—92

NAYS

Total—0

ABSENT

Dartez	Hebert	Richmond
Doerge	Honey	Romero
Downer	Jackson, L	Swilling
Glover	Kennard	
Guillory	Pierre	

Total—13

The Chair declared the above bill was finally passed.

Rep. Winston moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 1117—
BY SENATOR GAUTREAUX

AN ACT

To amend and reenact R.S. 30:2000.3(B), the introductory paragraph of R.S. 30:2000.4(A), the introductory paragraph of R. S. 30:2000.4(B), R.S. 30:2000.5(B)(1) and (2), and 2000.7(B) and to enact R.S. 30:2000.2(7), relative to the Atchafalaya Basin Program; to provide for the powers, duties, and functions of the secretary of the Department of Natural Resources; to provide for retroactive application; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Jack Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Nevers
Alario	Fruge	Odinot
Alexander	Futrell	Psychaud
Ansardi	Gallot	Pinac
Arnold	Green	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hill	Richmond
Beard	Honey	Romero
Bowler	Hopkins	Salter
Broome	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, M	Smith, G.—56th
Carter, R	Johns	Smith, J.D.—50th
Cazayoux	Katz	Smith, J.R.—30th
Crane	Kenney	Sneed
Curtis	LaFleur	Stelly
Damico	Lancaster	Strain
Daniel	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Total—90		

NAYS

Total—0

ABSENT

Crowe	Guillory	Pierre
Dartez	Hebert	Smith, J.H.—8th
Doerge	Jackson, L	Swilling
Downer	Kennard	Townsend
Glover	Perkins	Wright
Total—15		

The Chair declared the above bill was finally passed.

Rep. Jack Smith moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Johns, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE BILLS

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 714
Returned with amendments.

House Bill No. 884
Returned with amendments.

House Bill No. 1153
Returned with amendments.

House Bill No. 1606
Returned with amendments.

House Bill No. 1828
Returned with amendments.

House Bill No. 1854
Returned with amendments.

House Bill No. 1889
Returned with amendments.

House Bill No. 1984
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

**House Bills and Joint Resolutions
Returned from the Senate with Amendments**

Rep. Johns asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE BILL NO. 714—
BY REPRESENTATIVE JOHNS**AN ACT**

To amend and reenact R.S. 37:1731(A)(2)(a) and to enact R.S. 37:1731(A)(2)(c) and (d), relative to emergency care at public and private hospitals; to provide for a limitation of liability of certain persons providing gratuitous emergency care; to define "on-call physician"; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Ellington to Reengrossed House Bill No. 714 by Representative Johns (Duplicate of Senate Bill No. 277)

AMENDMENT NO. 1

On page 2, line 13, between "department" and "shall" insert the following:

"including any appropriate standard of care treatment necessitated by the patient's emergent condition."

AMENDMENT NO. 2

On page 2, delete lines 15 and 16 in their entirety and insert in lieu thereof the following:

"patient or from failure to"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 714 by Representative Johns

AMENDMENT NO. 1

In Conforming Senate Floor Amendment No. 2 proposed by Senator Ellington and adopted by the Senate on May 14, 2003, on page 1, line 8 after "patient," insert "with whom there has been no prior physician-patient relationship."

AMENDMENT NO. 2

On page 2, line 14, delete "such"

AMENDMENT NO. 3

On page 3, line 2, delete ", without expectation of payment from or on behalf of the"

AMENDMENT NO. 4

On page 3, line 3, delete "patient."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 714 by Representative Johns

AMENDMENT NO. 1

On page 2, line 12, before "attends," insert "gratuitously"

Rep. Johns moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pinac
Ansardi	Green	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Romero
Baylor	Hill	Salter
Beard	Honey	Scalise
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, M	Smith, J.H.—8th
Carter, R	Johns	Smith, J.R.—30th
Cazayoux	Katz	Sneed
Crane	Kenney	Stelly
Crowe	LaFleur	Strain
Curtis	Lancaster	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Total—96		

NAYS

Total—0

ABSENT

Dartez	Glover	Kennard
Doerge	Guillory	Pierre
Downer	Jackson, L	Richmond
Total—9		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 884—
BY REPRESENTATIVE HEATON**AN ACT**

To enact Code of Criminal Procedure Articles 893(F) and 894(E) and R.S. 44:9(J), relative to expungement of criminal arrest records under the public records law; to provide for waiver of filing fees in certain cases; to provide for application; to provide for eligibility; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Martiny, the bill was returned to the calendar.

Page 48 HOUSE

47th Day's Proceedings - June 22, 2003

HOUSE BILL NO. 1153—

BY REPRESENTATIVES DOWNER, R. CARTER, FAUCHEUX, TOOMY, AND WELCH

AN ACT

To enact R.S. 33:2012, to enact the Louisiana Fire Service Bill of Rights; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 1153 by Representative Downer

AMENDMENT NO. 1

On page 1, line 10, after "promote" and before "are" delete "that the rights of the fire service in Louisiana" and insert in lieu thereof "the rights of members of the fire service in Louisiana and to insure that their rights"

AMENDMENT NO. 2

On page 2, line 4, after "for the" and before "fire" insert "members of"

AMENDMENT NO. 3

On page 2, line 5, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

AMENDMENT NO. 4

On page 2, line 7, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

AMENDMENT NO. 5

On page 2, line 12, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

AMENDMENT NO. 6

On page 2, line 15, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

AMENDMENT NO. 7

On page 2, line 17, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

AMENDMENT NO. 8

On page 2, line 20, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

AMENDMENT NO. 9

On page 2, line 22, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

AMENDMENT NO. 10

On page 3, line 1, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

AMENDMENT NO. 11

On page 3, line 4, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

AMENDMENT NO. 12

On page 3, line 7, after "Promotes" and before "right" delete "the fire service" and insert in lieu thereof "each member of a fire services"

Rep. McDonald moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Green	Powell
Arnold	Hammett	Quezaire
Baldone	Heaton	Romero
Baudoin	Hill	Salter
Baylor	Honey	Scalise
Beard	Hopkins	Schneider
Bowler	Hudson	Schwegmann
Broome	Hunter	Shaw
Bruce	Hutter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Capella	Jackson, M	Smith, J.H.—8th
Carter, K	Johns	Smith, J.R.—30th
Carter, R	Katz	Sneed
Cazayoux	Kenney	Stelly
Crane	LaFleur	Strain
Crowe	Lancaster	Swilling
Curtis	Landrieu	Thompson
Damico	LeBlanc	Toomy
Daniel	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Faucieux	Nevers	Winston
Flavin	Odinet	Wooton
Frith	Perkins	Wright
Total—93		

NAYS

Total—0

ABSENT

Dartez	Glover	Kennard
Doerge	Guillory	Murray
Downer	Hebert	Pierre
Farrar	Jackson, L	Richmond
Total—12		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1606—

BY REPRESENTATIVES MORRISH AND FAUCHEUX

AN ACT

To amend and reenact R.S. 22:230.5(C) and to enact R.S. 22:230.5(D) and 2016.1, relative to health insurance; to provide with respect to health insurance benefits and options mandated by law; to provide

for a moratorium on additional statutory mandates; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1606 by Representative Morrish

AMENDMENT NO. 1

On page 1, line 15, change "2003" to "2004"

AMENDMENT NO. 2

On page 2, line 25, change "2003" to "2004"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Engrossed House Bill No. 1606 by Representative Morrish

AMENDMENT NO. 1

On page 3, after line 19, insert:

"Section 2. The provisions of that Act which originated as Senate Bill No. 408 of the 2003 Regular Session of the Legislature shall supersede the provisions of this Act, should Senate Bill No. 408 be enacted into law."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 1606 by Representative Morrish

AMENDMENT NO. 1

On page 3, between lines 13 and 14, insert the following:

"Section 3. This Act shall have no effect as to the provisions of Senate Bill No. 666 of the 2003 Regular Session of the Legislature."

AMENDMENT NO. 2

On page 3, line 14, change "2" to "4"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed House Bill No. 1606 by Representative Morrish

AMENDMENT NO. 1

On page 1, lines 2 and 9, insert "and (E)" after "22:230.5(D)"

AMENDMENT NO. 2

On page 2, between lines 19 and 20, insert the following:

E. Nothing in this Section shall be construed to allow a health benefit plan policy delivered, issued, or renewed after the effective date

of this Act to suspend, limit, or modify any mandates in effect on the effective date of this Act."

AMENDMENT NO. 3

On page 3, between lines 13 and 14, insert the following:

C. Nothing in this Section shall be construed to allow a health maintenance organization policy delivered, issued, or renewed after the effective date of this Act to suspend, limit, or modify any mandates in effect on the effective date of this Act."

Rep. Morrish moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Pinac
Alario	Frith	Pitre
Alexander	Fruge	Powell
Ansardi	Futrell	Quezaire
Arnold	Gallot	Salter
Baldone	Green	Scalise
Baudoin	Hammett	Schneider
Baylor	Hebert	Schwegmann
Beard	Hill	Shaw
Bowler	Honey	Smith, G.—56th
Broome	Hopkins	Smith, J.D.—50th
Bruce	Hutter	Smith, J.H.—8th
Bruneau	Iles	Smith, J.R.—30th
Capella	Jackson, M	Sneed
Carter, K	Johns	Stelly
Carter, R	Katz	Strain
Cazayoux	Kenney	Swilling
Crane	LaFleur	Thompson
Crowe	Lancaster	Toomy
Damico	Landrieu	Townsend
Daniel	LeBlanc	Triche
Dartez	Martiny	Tucker
Devillier	McDonald	Waddell
Diez	McVea	Walker
Downs	Montgomery	Walsworth
Durand	Morrish	Welch
Erdey	Nevers	Winston
Fannin	Odinet	Wooton
Farrar	Perkins	Wright
Faucheux	Peychaud	
Total—89		

NAYS

Total—0

ABSENT

Curtis	Hudson	Murray
Doerge	Hunter	Pierre
Downer	Jackson, L	Richmond
Glover	Kennard	Romero
Guillory	Lucas	
Heaton	Morrell	
Total—16		

The amendments proposed by the Senate were concurred in by the House.

Page 50 HOUSE

47th Day's Proceedings - June 22, 2003

HOUSE BILL NO. 1889—

BY REPRESENTATIVES LUCAS AND MURRAY
AN ACT

To amend and reenact R.S. 9:3516(16)(b) and (23)(b), relative to the Louisiana Consumer Credit Law; to provide with respect to certain fees and charges; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Lucas, the bill was returned to the calendar.

HOUSE BILL NO. 1984—

BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 14:30(A)(8), relative to homicide; to provide with respect to the crime of first degree murder; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. D. Jones to Reengrossed House Bill No. 1984 by Representative Gary Smith

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact Code of Criminal Procedure Art. 62 and to"

AMENDMENT NO. 2

On page 1, line 3, between "murder; and "and" insert "to provide that the attorney general may investigate and prosecute any homicide involving a state elected official; to provide for definitions;"

AMENDMENT NO. 3

On page 1, after line 14, add the following:

Art. 62. Authority of attorney general; supervision of district attorney

(A) The attorney general shall exercise supervision over all district attorneys in the state.

(B) The attorney general has authority to institute and prosecute, or to intervene in any proceeding, as he may deem necessary for the assertion or protection of the rights and interests of the state.

(C) In any criminal action or proceeding involving a homicidal death, it shall be deemed necessary for the assertion or protection of the rights and interests of the state, and be cause, in accordance with Article IV, Section 8(B) of the Constitution of Louisiana, to authorize the attorney general, with the cooperation and assistance of the district attorney, sheriff, and municipal police with jurisdiction and the office of state police, to investigate, prosecute or intervene in the action or proceeding.

Rep. Gary Smith moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pinac
Alexander	Green	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hebert	Richmond
Baudoin	Hill	Romero
Baylor	Honey	Salter
Beard	Hopkins	Scalise
Bowler	Hudson	Schneider
Broome	Hunter	Schwegmann
Bruce	Hutter	Shaw
Bruneau	Iles	Smith, J.D.—50th
Capella	Jackson, L.	Smith, J.H.—8th
Carter, K	Jackson, M	Smith, J.R.—30th
Carter, R	Johns	Sneed
Cazayoux	Katz	Stelly
Crane	Kenney	Strain
Crowe	LaFleur	Swilling
Curtis	Lancaster	Thompson
Damico	Landrieu	Toomy
Daniel	LeBlanc	Townsend
Dartez	Lucas	Triche
Devillier	Martiny	Tucker
Diez	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinot	
Fruge	Perkins	
Total—97		

NAYS

Total—0

ABSENT

Doerge	Glover	Pierre
Downer	Guillory	Smith, G.—56th
Faucheux	Kennard	
Total—8		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1889—

BY REPRESENTATIVES LUCAS AND MURRAY
AN ACT

To amend and reenact R.S. 9:3516(16)(b) and (23)(b), relative to the Louisiana Consumer Credit Law; to provide with respect to certain fees and charges; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed House Bill No. 1889 by Representative Lucas

AMENDMENT NO. 1

On page 1, line 2, after "(23)(b)," insert "3578.4(C) and 3578.6(A)(1),"

AMENDMENT NO. 2

On page 1, line 4 change "and charges;" to "charges, and attorney fees;"

AMENDMENT NO. 3

On page 1, line 6 after "(23)(b)" insert ", 3578.4(C) and 3578.6(A)(1)"

AMENDMENT NO. 4

On page 2, below line 10 insert the following:

"§3578.4. Finance charge and fees

* * *

C. ~~No~~ Except for reasonable attorney fees and costs awarded by a court, no other fees or charges may be assessed or collected on a deferred presentment transaction or small loan, including any other fees as may be provided for under this Chapter Code Title or any other law.

* * *

§3578.6. Prohibited acts

A licensee shall not:

(1) ~~Charge~~ Except for reasonable attorney fees and costs awarded by a court, charge, contract for, receive, or collect a loan finance charge or credit service charge, or any other fee or charge other than as provided in R.S. 9:3578.4.

* * *

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed House Bill No. 1889 by Representative Lucas

AMENDMENT NO. 1

On page 1, lines 15 and 16, delete ", or any of the items enumerated in R.S. 9:3516(3)(c)"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 1889 by Representative Lucas

AMENDMENT NO. 1

On page 1, line 2, after "(23)(b)," insert "and 3530(C)(1),"

AMENDMENT NO. 2

On page 2, below line 10, insert the following:

"§3530. Fees; origination; notary, documentation; over-the-credit-limit fee

* * *

C.(1) A lender may charge a documentation fee as reimbursement for actual costs incurred, not to exceed ~~five~~ eight dollars, in connection with a non-real estate consumer loan transaction.

* * *

Rep. Murray moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pinac
Alario	Gallot	Pitre
Alexander	Green	Powell
Ansardi	Hammett	Quezaire
Arnold	Heaton	Richmond
Baldone	Hebert	Romero
Baudoin	Honey	Salter
Baylor	Hopkins	Scalise
Beard	Hudson	Schneider
Bowler	Hunter	Schwegmann
Broome	Hutter	Shaw
Bruce	Iles	Smith, G.—56th
Bruneau	Jackson, L	Smith, J.D.—50th
Capella	Jackson, M	Smith, J.H.—8th
Carter, K	Johns	Smith, J.R.—30th
Carter, R	Katz	Sneed
Cazayoux	Kenney	Stelly
Crane	LaFleur	Strain
Crowe	Lancaster	Swilling
Curtis	Landrieu	Thompson
Damico	LeBlanc	Toomy
Daniel	Lucas	Townsend
Dartez	Martiny	Triche
Devillier	McDonald	Tucker
Diez	McVea	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Walsworth
Erdey	Morrish	Welch
Fannin	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Frith	Perkins	
Fruge	Psychaud	
Total—97		

NAYS

Total—0

ABSENT

Doerge	Glover	Kennard
Downer	Guillory	Pierre
Farrar	Hill	
Total—8		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 884—
BY REPRESENTATIVE HEATON
AN ACT

To enact Code of Criminal Procedure Articles 893(F) and 894(E) and R.S. 44:9(J), relative to expungement of criminal arrest records under the public records law; to provide for waiver of filing fees in certain cases; to provide for application; to provide for eligibility; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 884 by Representative Heaton

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line, delete lines 3 and 4, and insert the following:

"amend and reenact R.S. 44:9(A), relative to criminal records; to provide relative to court ordered expungement of arrest records; to authorize a processing fee for such expungement;"

AMENDMENT NO. 2

On page 1, at the beginning of line 5, delete "to provide for application; to provide for eligibility;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of the line and insert "R.S. 44:9(A) is"

AMENDMENT NO. 4

On page 1, delete lines 10 through 17 and insert the following:

"§9. Records of violations of municipal ordinances and of state statutes classified as a misdemeanor or felony

A. (1) Any person who has been arrested for the violation of a municipal or parish ordinance or for violation of a state statute which is classified as a misdemeanor may make a written motion to the district, parish, or city court in which the violation was prosecuted or to the district court located in the parish in which he was arrested, for expungement of the arrest record, ~~if~~ under either of the following conditions:

(~~1a~~) The time limitation for the institution of prosecution on the offense has expired, and no prosecution has been instituted; or

(~~2b~~) If prosecution has been instituted, and such proceedings have been finally disposed of by dismissal, sustaining of a motion to quash, or acquittal.

(2) If the court finds that the mover is entitled to the relief sought, ~~for either of the above reasons as authorized by this Subsection~~, it shall order all agencies and law enforcement offices having any record of the arrest, whether on microfilm, computer card or tape, or on any other photographic, electronic, or mechanical method of storing data, to destroy any record of arrest, photograph, fingerprint, or any other information of any and all kinds or descriptions. The court shall order such custodians of records to file a sworn affidavit to the effect that the records have been destroyed and that no notations or references have been retained in the agency's central repository which will or might lead to the inference that any record ever was on file with any agency or law enforcement office. The original of this affidavit shall be kept by the court so ordering same and a copy shall be retained by the affiant agency which said copy shall not be a public record and shall not be open for public inspection but rather shall be kept under lock and key and maintained only for internal record keeping purposes to preserve the integrity of said agency's files and shall not be used for any investigative purpose. This Subsection does not apply to arrests for a first or second

violation of any ordinance or statute making criminal the driving of a motor vehicle while under the influence of alcoholic beverages or narcotic drugs, as denounced by R.S. 14:98 or 98.1.

(3)(a) The Bureau of Criminal Identification and Information may charge a processing fee of one hundred and twenty-five dollars for the expungement of any record of arrest when ordered to do so by the court in compliance with the provisions of this Section.

(b) The clerk of court shall collect the processing fee at the time the motion for expungement is filed and may collect a fee of up to ten dollars to cover the clerk's administration costs. If the court finds the mover is entitled to the relief sought, the clerk shall direct the collected processing fee to the Bureau of Criminal Identification and Information and the processing fee amount shall be deposited immediately upon receipt into the Criminal Identification and Information Fund. If the court does not grant such relief, the clerk of court shall return the fee to the moving party.

* * *

AMENDMENT NO. 5

Delete page 2 and on page 3, delete lines 1 through 9

Rep. Heaton moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinot
Alario	Gallot	Peychaud
Alexander	Green	Pinac
Ansardi	Hammett	Pitre
Arnold	Heaton	Powell
Baldone	Hebert	Quezaire
Baudoin	Hill	Richmond
Beard	Honey	Salter
Bowler	Hopkins	Schwegmann
Bruce	Hudson	Smith, G.—56th
Bruneau	Hunter	Smith, J.D.—50th
Capella	Hutter	Smith, J.H.—8th
Carter, K	Iles	Smith, J.R.—30th
Carter, R	Jackson, L	Sneed
Crane	Jackson, M	Stelly
Damico	Johns	Strain
Daniel	Kenney	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Downs	Lucas	Triche
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Welch
Farrar	Montgomery	Winston
Fauchaux	Morrell	Wooton
Flavin	Morrish	
Frith	Murray	
Total—82		

NAYS

Crowe	Perkins	Wright
Futrell	Tucker	
Nevers	Walsworth	
Total—7		

ABSENT

Baylor	Glover	Romero
Broome	Guillory	Scalise
Cazayoux	Katz	Schneider
Curtis	Kennard	Shaw
Doerge	LaFleur	
Downer	Pierre	
Total—16		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1828—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 47:118(H), relative to individual income tax; to require the secretary of the Department of Revenue to notify certain taxpayers of the requirement for filing a declaration of estimated tax; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Daniel, the bill was returned to the calendar.

HOUSE BILL NO. 1854—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 35:12 and 191(C)(2)(a) and to enact R.S. 35:202, 215, 216, and 409, relative to notaries public; to provide for the use of identification numbers on notarized documents; to require the filing of annual reports and filing fees; to provide for late charges and penalties; to provide for uniform standards for notary examinations; to provide for the authority and duties of the secretary of state; to provide for certain fees; to provide for a database of all notaries; to provide for the authority of ex officio notaries; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1854 by Representative Bowler

AMENDMENT NO. 1

On page 6, delete lines 17 through 22 in their entirety and insert the following:

"(3) Publish and make available to the public a document containing all material to be made a part of the notarial examination. The material shall be maintained by the secretary"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Reengrossed House Bill No. 1854 by Representative Bowler

AMENDMENT NO. 1

On page 6, delete lines 17 through 24 and insert the following:

"(3) Maintain a bank of examination questions and model answers for the exclusive use of the secretary of state and the several parish examining committees to be used for examinations required by R.S. 35:191(C).

(4) Publish and make available to the public a document containing the material and sources from which each currently maintained bank of examination questions are devised for use as a study guide and charge a fee for the actual cost not to exceed one hundred dollars."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Reengrossed House Bill No. 1854 by Representative Bowler

AMENDMENT NO. 1

On page 4 delete line 12 through 17 and insert in lieu thereof the following:

"C. Should any notary fail or refuse to pay the annual fee fixed by R.S. 35:216, or fail to provide the proper bond as required by law, the secretary of state shall promptly notify the clerk of court of the parish where the notary is commissioned by filing an affidavit to that effect and the clerk shall file that affidavit and a rule to show cause in the civil district court in that parish to have the notary's commission revoked. The affidavit with the rule stating the notary's failure to pay the required annual fee will create a rebuttable presumption that the commission shall be revoked. The clerk of court of the parish where the rule and affidavit are filed, or his designee, shall appear in the hearing on the rule and present the affidavit to the court."

AMENDMENT NO. 2

On page 5, after line 15, insert the following:

"G. Should the proper official be unable to find any notary upon whom he desires to make service of process in any cause brought by the secretary of state under the authority of this Part, the secretary of state shall cause to be advertised at least three times at intervals of not less than seven days nor more than ten days in the official journal of the parish in which the action is filed. If no appearance has been made by the defendant notary in said cause, the clerk or his designee shall appear at the hearing against the absent defendant, as provided by law."

Rep. Bowler moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pinac
Alario	Gallot	Pitre
Alexander	Green	Powell
Ansardi	Hammett	Quezaire
Arnold	Heaton	Richmond
Baldone	Hebert	Romero
Baudoin	Hill	Salter
Baylor	Honey	Scalise
Beard	Hopkins	Schneider
Bowler	Hudson	Schwegmann
Broome	Hunter	Shaw
Bruce	Hutter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Capella	Jackson, L	Smith, J.H.—8th
Carter, K	Jackson, M	Smith, J.R.—30th

Page 54 HOUSE

47th Day's Proceedings - June 22, 2003

Carter, R	Johns	Sneed
Cazayoux	Katz	Stelly
Crane	Kenney	Strain
Curtis	LaFleur	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Frith	Perkins	
Fruge	Psychaud	
Total—97		

NAYS

Total—0

ABSENT

Crowe	Glover	Lancaster
Doerge	Guillory	Pierre
Downer	Kennard	
Total—8		

The amendments proposed by the Senate were concurred in by the House.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 89— BY SENATOR MCPHERSON

AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Farrar, the bill was returned to the calendar.

SENATE BILL NO. 231— BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:10.3(C), relative to the School and District Accountability Rewards Fund; to provide for an optional secondary purpose for which monies in the fund may be spent; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. LeBlanc sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed Senate Bill No. 231 by Senator Theunissen

AMENDMENT NO. 1

On page 1, delete lines 12 and 13 and at the beginning of line 14, delete "Education, the" and insert "C.(1) The"

AMENDMENT NO. 2

On page 2, line 2, after "system" insert "in accordance with a plan for such allocations approved by the State Board of Elementary and Secondary Education"

AMENDMENT NO. 3

On page 2, line 4, after "of" delete the remainder of the line and insert "the monies appropriated, the"

AMENDMENT NO. 4

On page 2, delete line 8 and insert "improvement, provided the plan is submitted for review and approval by the Joint Legislative Committee on the Budget."

On motion of Rep. LeBlanc, the amendments were adopted.

Rep. Crane moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud
Alexander	Green	Pinac
Ansardi	Hammett	Pitre
Arnold	Heaton	Powell
Baldone	Hebert	Quezaire
Baudoin	Hill	Richmond
Baylor	Honey	Salter
Beard	Hopkins	Scalise
Bowler	Hudson	Schneider
Broome	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch

Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Total—93		

NAYS

Total—0

ABSENT

Bruce	Downer	McDonald
Curtis	Glover	Pierre
Diez	Guillory	Romero
Doerge	Kennard	Townsend
Total—12		

The Chair declared the above bill was finally passed.

Rep. Crane moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 687—

BY SENATOR ULLO

AN ACT

To repeal R.S. 42:1116.1, relative to elected officials; to repeal the requirement of random drug testing of elected officials; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Futrell sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Futrell and Pitre to Engrossed Senate Bill No. 687 by Senator Ullo

AMENDMENT NO. 1

Delete the set of House Floor Amendments proposed by Representative Murray and adopted by the House on June 19, 2003.

On motion of Rep. Futrell, the amendments were adopted.

Rep. Bruneau moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frige	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th

Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith

Total—98

Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers

Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Doerge
Downer
Guillory
Total—7

Kennard
Pierre
Romero

Schneider

The Chair declared the above bill was finally passed.

SENATE BILL NO. 975—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 9:355.1(2), 355.3(B) and (C), 355.7 and 355.8(A), and to enact R.S. 9:355.4(B)(7), relative to child custody; to provide requirements for parents prior to relocation of a child; to provide for a time period in which a parent may object to the relocation of a child; to provide for parents with equal or shared custody; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Bowler sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 975 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "355.7" insert a comma "," and change "and 355.8(A)," to "355.8(A) and 355.10(A),"

AMENDMENT NO. 2

On page 1, line 9, after "355.7" insert a comma "," and change "and 355.8(A)" to "355.8(A) and 355.10(A),"

AMENDMENT NO. 3

On page 3, after line 23, insert the following:

"§355.10. Temporary order

A. The court may grant, ~~after a notice of objection has been filed,~~
a temporary order allowing a parent to relocate.

* * *

On motion of Rep. Bowler, the amendments were adopted.

Rep. Townsend moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Green	Powell
Arnold	Hammett	Quezaire
Baldone	Heaton	Richmond
Baudoin	Hebert	Romero
Baylor	Hill	Salter
Beard	Honey	Scalise
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kenney	Strain
Curtis	LaFleur	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Fauchoux	Nevers	Wooton
Flavin	Odinet	Wright
Frith	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Doerge	Guillory	Pierre
Downer	Kennard	
Glover	Lancaster	
Total—7		

The Chair declared the above bill was finally passed.

Rep. Townsend moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Conference Committee Reports for Consideration

The following Conference Committee Reports were taken up and acted upon as follows:

CONFERENCE COMMITTEE REPORT

House Bill No. 631 By Representative Curtis

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 631 by Representative Curtis, recommend the following concerning the engrossed bill:

1. That Senate Committee Amendment No. 1 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on May 22, 2003, be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "and (C)" delete the comma "," and delete "relative to" and insert " and to enact R.S. 33:2740.55, relative to economic development in Alexandria; to provide with respect to"

AMENDMENT NO. 2

On page 1, line 6, after "board members;" insert the following:

"to provide for the creation of a special taxing district for economic development in the city of Alexandria; to provide for district governance, powers, and duties; to provide for the levy and collection of a hotel occupancy tax; to provide for the issuance of bonds;"

AMENDMENT NO. 3

On page 1, line 13, after "reenacted" and before "to read" insert "and R.S. 33:2740.55 is hereby enacted"

AMENDMENT NO. 4

On page 5, between lines 16 and 17, insert the following:

"§2740.55. City of Alexandria; creation of special economic development taxing district; levy of hotel occupancy tax; issuance of bonds"

A. As used in this Section, the following terms shall have the following meanings ascribed to them:

(1) "Bonds" means and includes bonds, notes, certificates, or other obligations for the repayment of borrowed money.

(2) "District" means the special taxing district authorized by this Section.

(3) "Hotel" means and includes any establishment, public or private, engaged in the business of furnishing or providing rooms and overnight camping facilities intended or designed for dwelling, lodging, or sleeping purposes to transient guests where such establishment consists of two or more guest rooms. "Hotel" shall not mean any hospital, convalescent or nursing home, sanitarium, or any facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

(4) "Tax" means the hotel occupancy tax authorized to be levied by this Section.

B. The governing authority of the city of Alexandria may, by ordinance, create a special taxing district and political subdivision of the state to provide for and promote the economic development of the city of Alexandria in order to provide for the renovation, restoration, and development of property in the city.

C. The special taxing district is created for the purpose of cooperative economic development between the city of Alexandria and the special taxing district.

D. The district shall have as its purpose cooperative economic development between the city of Alexandria and the district, in order to provide for the renovation, restoration, and development of property in the city of Alexandria and district and to pay the costs of capital improvements relating thereto, and to engage in cooperative endeavors with the state and its political subdivisions or political corporations, with the United States or its agencies, or with any public or private association, corporation, or individual.

E. The ordinance creating the district shall define the boundaries of the district which shall be all or any part of the territorial limits of the city of Alexandria.

F. In order to provide for the orderly development of the district and effectuation of the purposes of the district, the district shall be administered and governed by a commission, comprised of no less than three and no more than seven members, established in the ordinance creating the district. The members of the commission shall be appointed by a vote of the majority of the elected members of the governing authority of the city of Alexandria.

G.(1) The district shall have the following powers, duties, and authority:

(a) To sue and to be sued.

(b) To adopt a seal.

(c) To adopt rules consistent with this Section and the ordinance creating the district.

(d) To receive by gift, grant, purchase, lease, donation, or otherwise any sum of money, property, movable or immovable, aid, or assistance from the United States, the state of Louisiana, or any political subdivision thereof, or any person, firm, corporation, or other legal entity.

(e) Consistent with the constitution and the laws of this state, to enter into contracts or agreements of any kind with the state and its political subdivisions or political corporations and with any person, firm, corporation, or other legal entity.

(f) To appoint officers, agents, and employees, and prescribe their duties and fix their compensation.

(g) To sell, mortgage, or lease as lessor any property, movable or immovable.

(h) In its own name and on its own behalf to incur debt and issue bonds, notes, certificates, and other evidences of indebtedness as hereinafter set forth.

(i) To establish such funds or accounts as are necessary for the conduct of the affairs of the commission.

(j) To encourage and promote the economic development of the city of Alexandria, which includes all projects suitable to any industry determined by the commission to create economic development, including, without limitation, public works and infrastructure and

projects to assist the following industries within the meaning of Article VI, Section 21 of the Louisiana Constitution:

(i) Industrial, manufacturing, and other related industries.

(ii) Housing and related industries.

(iii) Hotel, motel, conference facilities, and related industries.

(iv) Commercial, retail, and related facilities.

(v) Amusement, places of entertainment, theme parks, and any other tourism-related industry.

(vi) Transportation-related industries.

(vii) Hospital, medical, health, nursery care, nursing care, clinical, ambulance, laboratory, and related facilities.

(viii) Any other industry determined by the commission, whose assistance will result in economic development.

(k) To make capital improvements for the purpose of assisting the economic development of the city of Alexandria within the territorial limits of the district.

(2) Notwithstanding the provisions of this Section, the ordinance establishing the district and the commission may limit the exercise of any of the foregoing rights, duties, and authority by the commission.

H. The commission may, by resolution adopted by a majority vote of the members of the commission, levy and collect a tax upon the occupancy of hotel rooms within the district. The tax shall be levied by the district without an election. The tax rate shall not exceed the aggregate rate of all such taxes levied and collected within the territorial limits of the district by any other taxing authority and in no event shall exceed four percent. The tax shall be paid by the person who exercises or is entitled to occupancy of the hotel room and shall be paid at the time the rent or fee of occupancy is paid. Any tax levied by the district shall be in addition to any other similar tax levied and collected within the territorial limits of the district by any other taxing authority.

I.(1) The district may issue revenue bonds payable from an irrevocable pledge and dedication of all or any part of the tax authorized by this Section in order to finance or refinance any capital improvements made by the district consistent with the provisions of this Section. Nothing herein shall be construed to permit the district to impair any existing obligations of the district. All action of the commission with respect to the issuance of the bonds and all other actions required to be taken by the commission pursuant to this Subsection shall be by resolution adopted after public hearing and adopted by a majority vote of the members of the commission.

(2) The district may fund the revenues derived from the tax authorized by this Section into negotiable bonds and may issue bonds from time to time solely and exclusively for the purpose of making capital improvements authorized by this Section, paying capitalized interest on the bonds, funding a reserve fund, and paying costs of issuance, including the cost of obtaining credit enhancement, such bonds payable solely from and secured by an irrevocable pledge and dedication of the tax hereby authorized, subject only to the prior payment of the costs and expenses of administration and collection of the tax. The bonds shall be subject to the limitations and restrictions provided in this Section.

(3) The bonds shall be authorized and issued only by resolution of the commission adopted by a majority vote of the members of the commission and be of such series, bear such date or dates, mature at such time or times, beginning not more than three years after the date

of the bonds and ending not later than thirty years after the date thereof, bear interest at such rate or rates payable at such times, be in such denomination, form, either coupon or fully registered without coupons, carry such registration and exchangeability privileges, be payable in such medium and at such place or places within or without the state, be subject to such terms of redemption, be entitled to such priorities on the tax revenues, and be sold upon such terms not inconsistent herewith as the resolution authorizing the issuance of the bonds may provide. The bonds shall be executed in the name of the district by the manual or facsimile signature of such official or officials of the commission as designated in such resolution. At least one signature on each bond shall be a manual signature. The seal or a facsimile thereof of the district shall be affixed or otherwise reproduced upon each bond. The delivery of any bonds or coupons so executed at any time thereafter shall be valid although before the date of delivery any person or persons signing the bonds or coupons no longer hold office. The maturities of the bonds shall be so arranged that the total amount of principal and interest falling due in any year, together with principal and interest falling due in such year on all bonds theretofore issued and then outstanding, shall never exceed seventy percent of the amount of tax revenues estimated by the chief financial officer of the commission to be received in the calendar year in which the bonds are issued.

(4) Bonds issued pursuant to this Section shall constitute a borrowing solely upon the credit of the tax revenues received or to be received by the district and shall not constitute an indebtedness or pledge of the general credit of the city of Alexandria and shall not in any way constitute an indebtedness of the city of Alexandria, and the bonds shall contain a recital to that effect. No member of commission and no officer of the commission or any person executing the bonds shall have any personal liability on such bonds. Bonds issued hereunder shall be payable solely from and secured by an irrevocable pledge and dedication of such part of the tax revenues as may be pledged thereto by the commission in the resolution authorizing the issuance of the bonds. Any holder of any of such bonds or coupons attached thereto may enforce and compel performance of all duties required to be performed by the district as a result of issuing the bonds, including the resolution authorizing the issuance of the bonds, and may similarly enforce the collection of the tax securing the payment of such bonds. When any bonds shall have been issued pursuant to this Section, neither the legislature, the commission, the city of Alexandria, the governing authority of the city of Alexandria, nor any other authority shall discontinue or decrease the tax or permit the tax to be discontinued or decreased in anticipation of the collection of which such bonds have been issued or in any way make any change in the allocation and dedication of the proceeds of the tax which would diminish the amount of the tax revenues to be received by the commission until all of such bonds shall have been retired as to principal and interest, it being the intention hereof to vest in the holders of such bonds and coupons a contractual right under the provisions of this Section.

(5) In the resolution authorizing the issuance of the bonds, the commission may provide for the respective priorities of separate blocks, series, or issues of bonds issued hereunder and may provide for the issuance of additional bonds in the future on a parity therewith as may be specified in the resolution. In the absence of such provision, if more than one series of bonds is issued hereunder payable from the same tax revenues, priority of lien on such revenues shall be determined in accordance with the resolution authorizing any bonds; however, nothing herein shall vest in any holder of the bonds any right of lien or priority of any kind against any part of the tax revenues not pledged to the payment of the bonds by resolution adopted by a majority vote of the members of the commission. Any resolution of the commission authorized by this Subsection may contain such covenants with the future holder or holders of the bonds as to tax revenues, the disposition thereof, the issuance of future bonds, and such other pertinent matters as may be deemed necessary by the commission to assure the marketability of the bonds, provided such covenants are not inconsistent with the provisions of this Section. The resolution authorizing the

issuance of bonds hereunder may contain such provisions to assure the enforcement, collection, and proper application of the tax revenues as the commission may think proper and consistent with this Section, and when any bonds payable from the tax revenue shall have been issued, this Section, the resolution of the commission levying and authorizing collection of the tax, and the obligation of the commission to continue to levy, collect, and allocate the tax and to apply the revenues derived therefrom in accordance with such resolution of the commission shall be irrevocable until such bonds have been paid in full as to principal and interest and shall not be subject to amendment in any manner which would impair the rights of the holders from time to time of such bonds or which would in any way jeopardize the prompt payment of principal thereof or interest thereon.

(6) All bonds shall be advertised for sale at competitive or negotiated sale as determined by the commission; however, any negotiated sale of any bonds shall be approved by a resolution adopted by at least a majority of the members of the commission. Bonds issued pursuant to this Section may also be issued as provided for in Chapter 13 of Title 39 of the Louisiana Revised Statutes of 1950.

(7) The proceeds derived from the sale of bonds issued pursuant to this Section shall be used exclusively by the district for the purposes provided in this Section.

(8) The district, by resolution adopted by a majority vote of the members of the commission, shall direct that the bonds contain a recital certifying that the bond is authorized by and is issued in conformity with the requirements of the constitution and laws of the state. Such recital shall be deemed to be the authorized declaration of the district and to import that there is constitutional and statutory authority for issuing the bonds and imposing the tax, that all the proceedings are regular, that all acts, conditions, and things required to exist, happen, and be performed precedent to and in the issuance of the bonds and imposition of the tax have existed, happened, and been performed in due time, form, and the manner required by law, that the amount of the bonds together with all other indebtedness of the district does not exceed any limit or limits prescribed by the constitution or laws of the state and that the required notices have been regularly and duly given by publication in the manner required by law. If any bonds are issued containing the recital, it shall be conclusively presumed that the recital is true, and neither the district nor any taxpayer shall be permitted to question the validity or regularity of the bonds, obligations, or tax in any court or in any other action or proceeding.

(9) After the time within which the validity of the bonds may be contested has elapsed as provided hereafter, the bonds shall be registered with the secretary of state without charge and shall have endorsed thereon a legend stating that they are incontestable and are secured by a pledge and dedication of a tax authorized by this Section within the territorial limits of the district and that they were registered with the secretary of state on the date so registered, and the endorsement shall be signed by the secretary of state.

(10) All bonds issued pursuant to this Section and the interest thereon shall be exempt from all taxation in the state. The bonds issued pursuant to this Section shall be and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, insurance companies, fiduciaries, trustees, and guardians. Such bonds shall be eligible to secure the deposit of any and all public funds of the state and any and all public funds of municipalities, parishes, school districts, or other political corporation or subdivision of the state. Such bonds shall be lawful and sufficient security for said deposits to the extent of the value.

(11) This Section shall be construed as cumulative authority for the exercise of the powers herein granted. The authority granted herein to the district shall not be affected or limited by any other provision of any statute of this state, and no provision, publication, election, or right

of referendum shall be required or afforded in the performance of any act herein authorized to be done, including the imposition, collection, and application of the tax and issuance of bonds, except as herein otherwise specifically provided. However, in order to accomplish the purposes provided for herein, the district is authorized to utilize all of the types of securities, devices, procedures, and methods of borrowing or securing provided for tax revenues as set forth in Title 39 of the Louisiana Revised Statutes of 1950 when issuing indebtedness and otherwise using the tax revenue provided for in this Section. The bonds may be issued, reissued, advertised, sold, secured, enhanced, refunded, defeased, or otherwise utilized, and the tax revenues may be used in any manner according to any procedure provided for in Title 39 of the Louisiana Revised Statutes of 1950 for the district; however, such use must accomplish the purposes provided for in this Section. The commission shall constitute a public entity for purposes of Chapters 13, 13-A, 14, 14-A, 14-B, and 15-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and in the event of a conflict with the provisions of this Section, the provisions of this Section shall control.

(12) Any bonds issued pursuant to this Section shall be considered negotiable in accordance with the commercial laws of Louisiana and shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof and shall be incontestable in the hands of bona fide purchasers or holders for value.

(13) The resolution of the commission authorizing the issuance of the bonds and pledging and dedicating tax revenues to the payment thereof shall be recorded in the mortgage records of Rapides Parish and shall be published in one issue of the official journal of the city of Alexandria, but it shall not be necessary to publish any exhibits to the resolution if they are available for public inspection and such fact is stated in the publication. Within thirty days after the date of publication, any person in interest may contest the legality of the tax levied and of the resolution of the commission, any provisions in the resolution made for the security and payment of the bonds to be issued pursuant thereto, and the validity of all other provisions and proceedings relating to the authorization and issuance of such bonds and the levy of the tax. If no action or proceeding is instituted within thirty days, no person shall have any cause of action to test the regularity, formality, legality, or effectiveness of the levy of the tax or of the resolution of the commission, any provisions of the bonds to be issued pursuant to thereto, the provisions for the security and payment of the bonds, and of the validity of all other provisions and proceedings relating to the authorization and issuance of the bonds and the levy of the tax for any cause whatsoever, and it shall be conclusively presumed that every legal requirement for the issuance of the bonds and the levy of the tax has been complied with and that the bonds and tax are legal. Thereafter, no court shall have authority to inquire into any such matters. Any action or proceeding instituted by such person in interest or by the commission shall be in accordance with the provisions of Part XVI of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950.

(14) Until such time as the bonds authorized hereby are issued and the proceeds of the tax are required for debt service as set forth in this Section, or the substantial completion of the capital improvements to be funded by the bonds, the net proceeds of the tax after deduction of reasonable collection expenses shall be used by the district to fulfill its rights, duties, and authority under this Section and the ordinance of the governing authority of the city of Alexandria. The district may invest any or all of the net proceeds in the manner provided by law.

(15) Any pledge of tax revenues or other monies made by the commission shall be valid and binding from the time when the pledge is made. The tax revenues or monies so pledged and thereafter received by the commission shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the commission irrespective of whether such parties have notice thereof.

(16) The books of the district shall be audited by an independent certified public accountant annually, and the accountant shall make a written report of his audit to the commission and to the governing authority of the city of Alexandria. The books of the district shall be subject to audit by the legislative auditor in the manner provided by law.

J. The district shall dissolve and cease to exist one year after all bonds, notes, and other evidences of indebtedness of the district, including refunding bonds, are paid in full as to both principal and interest; however, in no event shall the district have an existence of less than three years.

K. This Section, being necessary for the welfare of the city of Alexandria and its residents, shall be liberally construed to effect the purposes thereof."

Respectfully submitted,

Representative Israel Curtis
Representative Sharon Weston Broome
Representative Willie Hunter, Jr.
Senator Lambert C. Boissiere, Jr.
Senator J. Ken Hollis, Jr.
Senator William Joseph McPherson, Jr.

Rep. Curtis moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Pinac
Alario	Gallot	Pitre
Alexander	Green	Powell
Ansardi	Hammett	Quezaire
Arnold	Heaton	Richmond
Baldone	Hebert	Romero
Baudoin	Hill	Salter
Baylor	Honey	Scalise
Beard	Hopkins	Schneider
Bowler	Hunter	Schwegmann
Broome	Hutter	Shaw
Bruce	Iles	Smith, G.—56th
Bruneau	Jackson, L	Smith, J.D.—50th
Capella	Jackson, M	Smith, J.H.—8th
Carter, K	Johns	Smith, J.R.—30th
Carter, R	Katz	Sneed
Cazayoux	Kenney	Stelly
Crane	LaFleur	Strain
Crowe	Lancaster	Swilling
Curtis	Landrieu	Thompson
Damico	LeBlanc	Toomy
Daniel	Lucas	Townsend
Dartez	Martiny	Triche
Devillier	McDonald	Tucker
Diez	McVea	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Walsworth
Erdey	Morrish	Welch
Fannin	Murray	Winston
Farrar	Nevers	Wooton
Faucheux	Odinot	Wright
Flavin	Perkins	
Frith	Peychaud	

Total—97

NAYS

Total—0

Page 60 HOUSE

47th Day's Proceedings - June 22, 2003

ABSENT

Doerge	Glover	Kennard
Downer	Guillory	Pierre
Früge	Hudson	
Total—8		

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

House Bill No. 1021 By Representative Devillier

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1021 by Representative Devillier, recommend the following concerning the reengrossed bill:

1. That Amendment Nos. 1, 2, and 4 proposed by the Legislative Bureau and adopted by the Senate on May 22, 2003, be adopted.
2. That Amendment No. 3 proposed by the Legislative Bureau and adopted by the Senate on May 22, 2003, be rejected.
3. That the following amendment to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 5, line 6, after "(2)," and before "of" change "or (3)" to "(3), or (4)"

Respectfully submitted,

Representative Emma Devillier
Representative Daniel R. Martiny
Representative Willie Hunter, Jr.
Senator Arthur J. "Art" Lentini
Senator Joel T. Chaisson, II
Senator Melvin "Kip" Holden

Rep. Devillier moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Früge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Hammatt	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th

Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devallier
Diez
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith
Total—98

Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers

Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wright

NAYS

Total—0

ABSENT

Doerge
Downer
Guillory
Total—7

Kennard
Pierre
Smith, J.D.—50th

Wooton

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

House Bill No. 1091 By Representative Faucheux

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1091 by Representative Faucheux, recommend the following concerning the reengrossed bill:

1. That Senate Committee Amendments Nos. 1 through 7 proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 3, 2003, be adopted.

Respectfully submitted,

Representative Robert R. Faucheux, Jr.
Representative Robert J. Carter
Representative Joseph F. Toomy
Senator Joel T. Chaisson, II
Senator John L. "Jay" Dardenne
Senator Noble E. Ellington

Rep. Faucheux moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Früge	Odinot
Alario	Futrell	Perkins
Alexander	Gallot	Pinac

Ansardi	Green	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downs	Martiny	Tucker
Durand	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—96		

NAYS

Total—0

ABSENT

Capella	Glover	Psychaud
Doerge	Guillory	Pierre
Downer	Kennard	Scalise
Total—9		

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT**House Bill No. 2018 By Representative Landrieu**

June 19, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 2018 by Representative Landrieu, recommend the following concerning the reengrossed bill:

1. That all of the Senate Committee Amendments proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 9, 2003 be rejected.
2. That the Senate Floor Amendments proposed by Senator Cravins and adopted by the Senate on June 12, 2003 be adopted.
3. That all of the Senate Floor Amendments proposed by Senators C. Jones and Dardenne and adopted by the Senate on June 12, 2003 be adopted.

4. That all of the Senate Floor Amendments proposed by Senator Ullo and adopted by the Senate on June 12, 2003 be rejected.

5. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 16, delete line 25 in its entirety and in lieu thereof insert the following:

"(e) The vice president for Administration and Management, Southern University and A&M College or his designee."

AMENDMENT NO. 2

On page 37, line 5, after "of" and before "one" insert "the executive director of the cabinet and"

AMENDMENT NO. 3

On page 37, line 7 and 8, delete "the Board of Supervisors of the Louisiana State University System," and insert in lieu thereof "the Louisiana State University School of Social Work, Office of Social Services Research and Development"

AMENDMENT NO. 4

On page 37, line 20, delete "or the director's designee." and insert in lieu thereof "and a vice-chairman shall be nominated and elected by a majority of a quorum at the first meeting of the research council."

AMENDMENT NO. 5

On page 41, delete lines 10 through 15 in their entirety and at the beginning of line 16, change "(13)" to "(12)"

AMENDMENT NO. 6

On page 41, line 24, after "cabinet" and before "and" insert "the chairman of the North Delta Law Enforcement Planning District, the chairman of the Capital District Law Enforcement Planning Council, one assistant district attorney who regularly prosecutes juveniles appointed by the Louisiana District Attorney's Association,"

AMENDMENT NO. 7

On page 42, line 15, delete "and" and at the end of line 16, change the period "." to a comma "," and add "and the Magnolia Peace Officers Association."

Respectfully submitted,

Representative Mitch Landrieu
Representative Joseph F. Toomy
Representative Francis G. Thompson
Senator Donald R. Cravins
Senator John Hainkel
Senator Chris Ullo

Rep. Landrieu moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Psychaud
Alexander	Gallot	Pinac

Page 62 HOUSE

47th Day's Proceedings - June 22, 2003

Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wright
Frith	Odinot	
Total—98		

NAYS

Total—0

ABSENT

Doerge	Kennard	Wooton
Downer	Martiny	
Guillory	Pierre	
Total—7		

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

House Bill No. 334 By Representative Pinac

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 334 by Representative Pinac, recommend the following concerning the engrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator Ellington and adopted by the Senate on June 11, 2003 be rejected.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, delete line 2 and insert "To amend and reenact R.S. 3:3654(E), relative to financing statements for"

AMENDMENT NO. 2

On page 1, line 3, after "products;" and before "to" insert "to provide for registry requirements on financing statements;" and delete line 4 and insert "and to"

AMENDMENT NO. 3

On page 1, delete lines 7 and 8 and insert the following:

"Section 1. R.S. 3:3654(E) is hereby amended and reenacted to read as follows:

§3654. Central registry

* * *

E. Effective financing statements shall be subject to the following provisions. Each effective financing statement shall:

- (1) Be an original or reproduced copy thereof.
- (2) ~~Be signed and~~ filed with the filing officer by the creditor.
- ~~(3) Be signed by the debtor.~~
- ~~(4)~~ (3) Contain:
 - (a) The name and address of the creditor.
 - (b) The name and address of the debtor.

(c) The social security number of the debtor, or in the case of a debtor doing business other than as an individual, the Internal Revenue Service taxpayer identification number of the debtor.

(d) A description of the farm products subject to the security interest created by the debtor, including the amount of such farm products and the number of such movables to the extent applicable, if less than all of such farm products owned by the debtor are to be covered by the security interest.

(e) A reasonable description of the property, including the farm name or its general location by section, township, and range, or otherwise, ~~and the parish in which the property is located at the time the statement is signed by the debtor; or alternatively, the Farm Service Agency of the United States Department of Agriculture (FSA) farm number.~~

(f) The name of the parish or county in which the farm products are produced or located.

~~(5)~~ (4) Be amended in writing, within three months, similarly signed and filed, to reflect material changes.

~~(6)~~ (5) Remain effective for a period of five years from the date of filing, subject to extensions for additional periods of five years each by refile or filing a continuation statement within six months before the expiration of the initial five-year period, or shall remain effective and may be extended as otherwise provided by the law regulating the creation of the security interest.

~~(7)~~ (6) Expire on either the expiration of the effective period of the statement or the filing of a notice signed by the creditor that the statement has expired, whichever occurs first, or as otherwise provided by law regulating the expiration of the security interest.

~~(8)~~ (7) Be accompanied by the filing fee as provided in R.S. 3:3657(A).

~~(9)~~ (8) Substantially comply with the requirements of this Subsection even though it contains minor errors that are not seriously misleading.

* * *

Section 2. The provisions of this Act shall become effective only upon the approval of the United States Department of Agriculture."

Respectfully submitted,

Representative Gil J. Pinac
Representative Gary L. Smith, Jr.
Senator Mike Smith
Senator Noble E. Ellington
Senator Fred Hoyt

Rep. Pinac moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pinac
Alexander	Glover	Pitre
Ansardi	Green	Powell
Arnold	Hammett	Quezaire
Baldone	Heaton	Richmond
Baudoin	Hebert	Romero
Baylor	Hill	Salter
Beard	Honey	Scalise
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kenney	Strain
Curtis	LaFleur	Swilling
Damico	Lancaster	Thompson
Daniel	Landrieu	Toomy
Dartez	LeBlanc	Townsend
Devillier	Lucas	Triche
Diez	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinot	
Frige	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Guillory	Pierre
Downer	Kennard	
Total—5		

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

House Bill No. 622 By Representative Pinac

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 622 by Representative Pinac, recommend the following concerning the engrossed bill:

1. That Amendment Nos. 1, 2, 4, and 5 of the set of Senate Floor Amendments proposed by Senator Boissiere and adopted by the Senate on June 16, 2003, be adopted.
2. That Amendment No. 3 of the set of Senate Floor Amendments proposed by Senator Boissiere and adopted by the Senate on June 16, 2003, be rejected.
3. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, between lines 7 and 8, insert the following:

"Section 1. R.S. 32:398(K)(1) is hereby amended and reenacted to read as follows:

§398. Accident reports; when and to whom made; information aid; fees for copies; fees for accident photographs

* * *

K.(1)(a) The reports required by this Section, and the information contained in the reports, shall be confidential, shall be exempt from the provisions of R.S. 44:1 et seq., and shall be made available only: to the parties to the accident, parents or guardians of a minor who is a party to the accident, and insurers of any party which is the subject of the report; to the succession representatives of those parties, or to the attorneys of the parties or succession representatives; or to a news-gathering organization that requests documents related to the accident. Upon request, accident reports shall be made available to the above-enumerated persons within seven working days following the completion of the accident investigation.

(b) In any parish with a population exceeding four hundred seventy-five thousand as of the 2000 federal decennial census, the local police department may charge a reasonable fee, not to exceed the sum of twenty dollars, to provide copies of accident reports. State departments and agencies shall not be required to pay such fee.

AMENDMENT NO. 2

On page 3, line 16, after "only" and before "shall" insert a comma ","

Respectfully submitted,

Representative Gil J. Pinac
Representative Ernie Alexander
Representative John A. Alario, Jr.
Senator Ken Hollis
Senator Lambert Boissiere, Jr.

Rep. Pinac moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Carter, K	Downer	Kennard
Doerge	Guillory	Pierre
Total—6		

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

House Bill No. 932

By Representative Pitre and Senator Dupre

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 932 by Representative Pitre and Senator Dupre, recommend the following concerning the engrossed bill:

1. That Senate Floor Amendment Nos. 1 through 3 proposed by Senator Dupre and adopted by the Senate on May 5, 2003, be adopted.
2. That Senate Floor Amendment No. 4 proposed by Senator Dupre and adopted by the Senate on May 5, 2003, be rejected.
3. That the set of Senate Floor Amendments proposed by Senate McPherson and adopted by the Senate on May 13, 2003, be rejected.
4. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 47:463(A)(3) and to"

AMENDMENT NO. 2

On page 1, line 3, after "plates;" insert "to provide relative to plates issued for certain trucks; to require license plates issued for certain trucks to have "Sportsman's Paradise" imprinted on the bottom;"

AMENDMENT NO. 3

On page 1, line 9, after "Section 1." insert "R.S. 47:463(A)(3) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"§463. Private passenger vehicles; amputee veterans exempted; church, church school, and religious order vehicles

A.

* * *

(3)(a) The secretary of the Department of Public Safety and Corrections shall issue license plates for private passenger vehicles. After July 1, 1992, there shall be issued one uniform identifiable Louisiana license plate, the style of which shall be proposed by the department and approved by the legislature on or before July 1, 1992. However, all special prestige license plates issued in accordance with R.S. 47:463.6 et seq. shall contain the uniform alpha-numeric series accompanied by a symbol or emblem representing the organization requesting such plate. All prestige license plates issued after August 15, 1999, shall include a handling charge of three dollars and fifty cents to offset the administrative costs of the department for the issuance of such plates. No prestige plate shall be established after January 1, 2002, until the department has received a minimum of one thousand applications for such plate.

(b) The secretary of the Department of Public Safety and Corrections shall issue one uniform identifiable license plate for privately owned personal trucks, commonly referred to as pick-up trucks, which shall contain the phrase "Sportsman's Paradise" imprinted on the bottom. A plate shall be issued in accordance with the provisions of this Subparagraph for all new registrations after January 1, 2004.

* * *

Respectfully submitted,

Representative Loulan J. Pitre, Jr.
Representative John C. "Juba" Diez
Representative Henry Powell
Senator Reggie Dupre

Senator Joe McPherson
Senator Francis C. Heitmeier

Rep. Pitre moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Glover	Powell
Arnold	Green	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, L	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Kenney	Stelly
Crowe	LaFleur	Strain
Curtis	Lancaster	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinot	
Frith	Perkins	
Total—97		

NAYS

Total—0

ABSENT

Doerge	Jackson, M	Pierre
Downer	Katz	Tucker
Guillory	Kennard	
Total—8		

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

House Bill No. 1211 By Representatives Bruneau, Downer, and Murray

June 21, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1211 by Representatives Bruneau, Downer, and Murray, recommend the following concerning the reengrossed bill:

1. That the Senate Committee Amendments Nos. 1 through 3 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on May 29, 2003, be adopted.
2. That the Senate Floor Amendments Nos. 1 through 6 proposed by Senator Dardenne and adopted by the Senate on June 10, 2003, be adopted.
3. That the Senate Floor Amendments Nos. 1 through 4 proposed by Senator Fontenot and adopted by the Senate on June 10, 2003, be rejected.
4. That the Senate Floor Amendments Nos. 1 through 5 proposed by Senator McPherson and adopted by the Senate on June 10, 2003, be rejected.
5. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 7, between "401.2," and "552(C)," insert "425(B)(4),"

AMENDMENT NO. 2

On page 2, line 14, after "places;" and before "and" insert the following:

"to provide relative to compensation of certain employees of registrars of voters; to allow students age seventeen who are seniors in high school to serve as commissioners on election day;"

AMENDMENT NO. 3

On page 16, line 22, after "R.S." delete "18:552(C)" and insert "18:425(B)(4), 552(C),"

AMENDMENT NO. 4

On page 18, between lines 23 and 24, insert the following:

"§425. Commissioners

* * *

B. Qualifications and classifications.

* * *

(4) A person who is at least seventeen years of age, under the age of eighteen, and is not a qualified voter but is otherwise qualified to serve as a commissioner pursuant to this Subsection may be selected to serve as a commissioner in any precinct of the ward where he may register to vote pursuant to R.S. 18:101(A), provided that the person is enrolled in the twelfth grade of any Louisiana public high school or state-approved nonpublic high school or is participating at the twelfth grade level in a home study program approved by the State Board of Elementary and Secondary Education.

* * *

AMENDMENT NO. 5

In Senate Floor Amendment No. 2 proposed by Senator Dardenne and adopted by the Senate on June 10, 2003, on page 1, line 19, change "date" to "data"

Page 66 HOUSE

47th Day's Proceedings - June 22, 2003

Respectfully submitted,

Representative Emile "Peppi" Bruneau
Representative Charles D. Lancaster, Jr.
Representative Wayne Waddell
Senator Paulette R. Irons
Senator Chris Ullo
Senator John L. "Jay" Dardenne

Rep. Bruneau moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Green	Pinac
Alexander	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hebert	Richmond
Baudoin	Hill	Romero
Baylor	Honey	Salter
Beard	Hopkins	Scalise
Bowler	Hudson	Schneider
Broome	Hunter	Schwegmann
Bruce	Hutter	Shaw
Bruneau	Iles	Smith, G.—56th
Capella	Jackson, L	Smith, J.D.—50th
Carter, K	Jackson, M	Smith, J.H.—8th
Carter, R	Johns	Smith, J.R.—30th
Cazayoux	Katz	Sneed
Crane	Kenney	Stelly
Crowe	LaFleur	Strain
Curtis	Lancaster	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Fruge	Perkins	
Futrell	Peychaud	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Faucheux	Kennard
Downer	Glover	
Total—5		

The Conference Committee Report was adopted.

Suspension of the Rules

On motion of Rep. Hebert, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 1476—

BY REPRESENTATIVES HEBERT, FRUGE, AND BOWLER
AN ACT

To amend and reenact R.S. 22:1254 and 1255(A), relative to the use of courts by unauthorized insurers; to provide for approval; to provide for bonds; to provide for exemption; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1476 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 15, between "insurers" and "is exempt" insert ", and which maintains an A.M. Best rating of B or better or its equivalent."

AMENDMENT NO. 2

On page 2, at the end of line 16, insert the following:

"The commissioner shall determine the equivalent standard for insurers rated by recognized rating organizations other than A.M. Best."

AMENDMENT NO. 3

On page 2, delete lines 18 through 22

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1476 by Representative Hebert

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Insurance and adopted by the Senate on June 12, 2003, on line 9, at the end of the line insert "; and on line 23, change "Section 3." to "Section 2.""

Rep. Hebert moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Green	Pinac
Alexander	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hebert	Richmond

Baudoin	Hill	Romero
Baylor	Honey	Salter
Beard	Hopkins	Scalise
Bowler	Hudson	Schneider
Broome	Hunter	Schwegmann
Bruce	Hutter	Shaw
Bruneau	Iles	Smith, G.—56th
Capella	Jackson, L	Smith, J.D.—50th
Carter, K	Jackson, M	Smith, J.H.—8th
Carter, R	Johns	Smith, J.R.—30th
Cazayoux	Katz	Sneed
Crane	Kenney	Stelly
Crowe	LaFleur	Strain
Curtis	Lancaster	Swilling
Damico	Landrieu	Thompson
Daniel	LeBlanc	Toomy
Dartez	Lucas	Townsend
Devillier	Martiny	Triche
Diez	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright
Frige	Perkins	
Futrell	Peychaud	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Farrar	Kennard
Downer	Glover	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1828—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 47:118(H), relative to individual income tax; to require the secretary of the Department of Revenue to notify certain taxpayers of the requirement for filing a declaration of estimated tax; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B.Jones to Engrossed House Bill No. 1828 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2 after "47:118(H)" insert "and 47:118(I)"

AMENDMENT NO. 2

On page 1, line 4, after "tax;" insert "to permit the secretary to waive the penalty for the 2002 tax year in certain situations;"

AMENDMENT NO. 3

On page 1, line 7 delete "is" and insert in lieu thereof "and R.S. 47:118(I) are"

AMENDMENT NO. 4

On page 1, after line 15 insert the following:

"I. Penalty waiver. For tax periods beginning between December 31, 2001 and January 1, 2003, the secretary may waive, in whole or in part, payment of the penalty provided for in Subsection A if the individual submits an application for waiver of the penalty on or before December 31, 2003 showing the individual acted in good faith in failing to make the estimated payments. With the exception of those situations when, in the opinion of the secretary, the individual has acted with intentional disregard for the laws of the state, the secretary may presume the individual acted in good faith under the following circumstances:

(1) The failure to make the estimated payments was attributable to extraordinary circumstances beyond the individual's control.

(2) The individual made a declaration and paid estimated tax in accordance with R.S. 47:116, 117, and 117.1 before the due date of the return without regard to any extension of time."

Rep. Daniel moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Stelly
Crowe	Kenney	Strain
Curtis	LaFleur	Swilling
Damico	Lancaster	Thompson
Daniel	Landrieu	Toomy
Dartez	LeBlanc	Townsend
Devillier	Lucas	Triche
Diez	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton

Frith	Nevers	Wright
Fruge	Odinot	
Total—98		

NAYS

Total—0

ABSENT

Doerge	Glover	Sneed
Downer	Kennard	
Erdey	Peychaud	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

SENATE BILL NO. 528—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 15:537(A), relative to diminution of sentences; to remove the crime of misdemeanor carnal knowledge of a juvenile from the list of crimes the sentence for which is not subject to diminution of sentence for good behavior; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Hunter, the bill was returned to the calendar.

SENATE BILL NO. 1053—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 23:1514(A)(1), relative to workforce development; to provide with respect to employment security administration fund; to provide for funds and accounts; to provide for worker training fund; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Hunter, the bill was returned to the calendar.

SENATE BILL NO. 89—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Nevers
Alario	Futrell	Odinot
Alexander	Gallot	Perkins
Ansardi	Glover	Peychaud
Arnold	Green	Pierre
Baldone	Guillory	Pinac
Baudoin	Hammett	Pitre
Baylor	Heaton	Powell
Beard	Hebert	Quezaire
Bowler	Hill	Richmond
Broome	Honey	Romero
Bruce	Hopkins	Salter
Bruneau	Hudson	Scalise
Capella	Hunter	Schneider
Carter, K	Hutter	Schwegmann
Carter, R	Iles	Shaw
Cazayoux	Jackson, L	Smith, G.—56th
Crane	Jackson, M	Smith, J.D.—50th
Crowe	Johns	Smith, J.H.—8th
Curtis	Katz	Smith, J.R.—30th
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downs	Lucas	Triche
Durand	Martiny	Tucker
Erdey	McDonald	Waddell
Fannin	McVea	Walker
Farrar	Montgomery	Walsworth
Faucheux	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Total—99		

NAYS

Total—0

ABSENT

Doerge	Kennard	Townsend
Downer	Sneed	Wright
Total—6		

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 357—
BY SENATORS MCPHERSON, BAJOE AND SCHEDLER
AN ACT

To enact R.S. 40:16.I, relative to the procedure for the sale or lease of state-owned facilities; to provide for the dedication of the proceeds of the sale of mental health facilities; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Odinet
Alario	Gallot	Perkins
Alexander	Glover	Psychaud
Ansardi	Green	Pierre
Arnold	Guillory	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann
Carter, K	Iles	Shaw
Carter, R	Jackson, L	Smith, G.—56th
Cazayoux	Jackson, M	Smith, J.D.—50th
Crane	Johns	Smith, J.H.—8th
Crowe	Katz	Smith, J.R.—30th
Curtis	Kenney	Sneed
Damico	LaFleur	Stelly
Daniel	Lancaster	Strain
Dartez	Landrieu	Swilling
Devillier	LeBlanc	Thompson
Diez	Lucas	Toomy
Downs	Martiny	Townsend
Durand	McDonald	Triche
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Welch
Flavin	Morrish	Winston
Frith	Murray	Wooton
Fruge	Nevers	Wright
Total—99		

NAYS

Total—0

ABSENT

Doerge	Faucheux	Tucker
Downer	Kennard	Walsworth
Total—6		

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 836— BY SENATOR MCPHERSON

AN ACT

To enact Subpart F of Part I of Chapter 6 of Title 33 of the Revised Statutes of 1950, to be comprised of R.S. 33:2740.71 through 33:2740.88, relative to special districts; to authorize municipalities and parishes to create business improvement districts; to provide for definitions; to provide for the establishment of a business improvement development district; to provide for a board of commissioners; to provide for powers and duties of the board; to provide for the issuance of bonds; to provide for assessments upon a vote of the electors of the district; to provide for fees and

charges; to provide for termination of the district; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, L	Smith, J.R.—30th
Cazayoux	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Kenney	Strain
Curtis	LaFleur	Swilling
Damico	Lancaster	Thompson
Daniel	Landrieu	Toomy
Dartez	LeBlanc	Townsend
Devillier	Lucas	Triche
Diez	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Fruge	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Doerge	Katz	Schneider
Downer	Kennard	
Total—5		

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Page 70 HOUSE

47th Day's Proceedings - June 22, 2003

SENATE BILL NO. 1009— BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 13:2095.2(A), and to enact Code of Criminal Procedure Art. 887(I) and R.S. 13:1899(C)(16), relative to the marshal of the city court of Pineville; to provide for the collection of fees in all criminal and traffic matters; to authorize the marshal to collect an additional fee from convicted persons as reimbursement for costs expended in executing warrants; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Farrar sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Reengrossed Senate Bill No. 1009 by Senator McPherson

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1 through 8 proposed by the House Committee on Judiciary and adopted by the House of Representatives on June 5, 2003.

AMENDMENT NO. 2

On page 1, line 2, after "To" delete the remainder of the line and insert "enact"

AMENDMENT NO. 3

On page 1, line 3, at the beginning of the line, delete "Procedure Art. 887(I) and"

AMENDMENT NO. 4

On page 1, line 4, after "Pineville;" delete the remainder of the line in its entirety

AMENDMENT NO. 5

On page 1, at the beginning of line 5, delete "criminal and traffic matters;"

AMENDMENT NO. 6

On page 1, line 6, immediately after "fee" insert a semicolon ";" and delete the remainder of the line and add "to provide for approval of additional fees by the governing authority of the City of Pineville;"

AMENDMENT NO. 7

On page 1, delete lines 10 through 15 in their entirety

AMENDMENT NO. 8

On page 2, delete lines 1 through 26 in their entirety

AMENDMENT NO. 9

On page 3, delete lines 1 and 2 in their entirety

AMENDMENT NO. 10

On page 3, line 3, after "Section" change "3." to "1."

On motion of Rep. Farrar, the amendments were adopted.

Rep. Richmond sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Richmond to Reengrossed Senate Bill No. 1009 by Senator McPherson

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1 through 8 proposed by the House Committee on Judiciary and adopted by the House of Representatives on June 5, 2003.

AMENDMENT NO. 2

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 13:1312(D) and to enact"

AMENDMENT NO. 3

On page 1, line 3, at the beginning of the line, delete "Procedure Art. 887(I) and"

AMENDMENT NO. 4

On page 1, line 4, after "Pineville" delete the semi-colon ";" and the remainder of the line in its entirety and insert "and relative to a certain judicial expense fund;"

AMENDMENT NO. 5

On page 1, at the beginning of line 5, delete "criminal and traffic matters;"

AMENDMENT NO. 6

On page 1, line 6, immediately after "fee" insert a semicolon ";" and delete the remainder of the line and add "to provide for approval of additional fees by the governing authority of the City of Pineville; to provide relative to funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand; to authorize the judges en banc to utilize the funds for a separate juvenile facility; to delete the prohibition against raising additional fees; to delete the requirement that additional funds be derived from other noncourt cost-related sources; to delete the requirement that the Joint Legislative Committee on the Budget approve the plans and cost;"

AMENDMENT NO. 7

On page 1, line 10, after "Section 1." change "R.S. 13:2095.2(A) to "R.S. 13:1312(D)"

AMENDMENT NO. 8

On page 1, delete lines 12 through 15 in their entirety and insert in lieu thereof the following:

"§1312. Judicial expense fund; sources, control, and administration

* * *

D.(1) The judges, en banc, may utilize the monies in the judicial expense fund to pay all or any part of the cost of planning, designing, and constructing a new courthouse for the parish of Orleans, which shall house the following courts and all related support offices:

(a) Civil District Court.

(b) First and Second City Courts.

(c) Juvenile Courts: Court in the new courthouse or a separate facility.

~~(2) No additional fees or costs shall be imposed to fund any portion of the planning, designing or construction of a new courthouse.~~

~~(3) Any additional funds used for the planning, design or construction of a new courthouse shall come from commercial leasing revenues, contributions from agencies located or to be located in the courthouse, and any other non-court cost related source.~~

~~(4) (2)~~ Before any construction of a new courthouse is begun, the plans and costs shall be submitted to and ~~approved~~ reviewed by the Joint Legislative Committee on the Budget.

~~(5) (3)~~ Any contract for the planning, designing or construction of a new courthouse shall be subject to the public bid laws.

Section 2. The provisions of Section 1 of this Act shall be applicable to judicial expense funds of any civil district court and city courts located in a parish with a population of greater than four hundred seventy thousand."

AMENDMENT NO. 9

On page 2, delete lines 1 through 26 in their entirety

AMENDMENT NO. 10

On page 3, delete lines 1 and 2 in their entirety

On motion of Rep. Richmond, the amendments were adopted.

Rep. Farrar moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Odinot
Alario	Glover	Peychaud
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, L	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Diez	LeBlanc	Toomy
Downs	Lucas	Townsend

Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith
Futrell
Total—90

Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers

Triche
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Beard
Crane
Crowe
Total—7

Fruge
Perkins
Scalise

Schneider

ABSENT

Devillier
Doerge
Downer
Total—8

Jackson, M
Katz
Kennard

Pierre
Tucker

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 528— BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 15:537(A), relative to diminution of sentences; to remove the crime of misdemeanor carnal knowledge of a juvenile from the list of crimes the sentence for which is not subject to diminution of sentence for good behavior; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Hunter moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Glover	Odinot
Alexander	Green	Peychaud
Ansardi	Guillory	Pierre
Arnold	Hammett	Pinac
Baldone	Heaton	Powell
Baylor	Hebert	Quezaire
Bowler	Honey	Richmond
Broome	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Curtis	Jackson, L	Smith, J.R.—30th
Damico	Jackson, M	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Diez	Lancaster	Swilling
Durand	Landrieu	Townsend
Erdey	Lucas	Triche
Farrar	Martiny	Waddell
Faucheux	McDonald	Welch
Flavin	McVea	Winston

Page 72 HOUSE

47th Day's Proceedings - June 22, 2003

Frith
Fruge
Total—71

Morrell
Murray

Wooton

NAYS

Mr. Speaker
Baudoin
Beard
Capella
Carter, R
Crane
Crowe
Devillier
Downs
Fannin
Total—29

Futrell
Hill
Johns
Katz
LeBlanc
Morrish
Nevers
Perkins
Pitre
Scalise

Schneider
Schwegmann
Shaw
Thompson
Toomy
Tucker
Walker
Walsworth
Wright

ABSENT

Doerge
Downer
Total—5

Gallot
Kennard

Montgomery

The Chair declared the above bill was finally passed.

Rep. Hunter moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 726— BY SENATOR C. JONES

AN ACT

To amend and reenact Children's Code Art. 810, relative to constitutional rights; to provide with respect to waiver of right to counsel; to provide for the constitutional rights of accused delinquents; to prohibit juveniles from waiving right to counsel under certain circumstances; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Perkins sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed Senate Bill No. 726 by Senator C. Jones

AMENDMENT NO. 1

On page 2, line 4, after "child" delete the remainder of the line and insert "and the parent or guardian have"

On motion of Rep. Perkins, the amendments were withdrawn.

Rep. Devillier sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Devillier to Engrossed Senate Bill No. 726 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" and before the comma "," change "amend and reenact Children's Code Art. 810" to "enact Children's Code Art. 810(E)"

AMENDMENT NO. 2

On page 1, line 8, after "Art. 810" delete the remainder of the line and insert in lieu thereof "(E) is hereby enacted"

AMENDMENT NO. 3

On page 1, delete lines 11 through 15 in their entirety and insert in lieu thereof the following:

"* * *

E. The child who is twelve years of age or older and is charged with a felony necessarily punishable by imprisonment at hard labor shall not be permitted to waive assistance of counsel."

AMENDMENT NO. 4

On page 2, delete lines 1 through 26 in their entirety

AMENDMENT NO. 5

On page 3, delete lines 1 through 5 in their entirety

On motion of Rep. Devillier, the amendments were adopted.

Motion

On motion of Rep. Hunter, the bill, as amended, was returned to the calendar.

Motion

On motion of Rep. Farrar, the motion to reconsider the vote by which Senate Bill No. 89 finally passed was called from the table.

Suspension of the Rules

On motion of Rep. Farrar, the rules were suspended to reconsider the vote by which Senate Bill No. 89 finally passed on the same legislative day.

Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

SENATE BILL NO. 89—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures; and to provide for related matters.

Read by title.

On motion of Rep. Farrar, the vote by which the above Senate Bill finally passed was reconsidered.

Returned to the calendar under the rules.

SENATE BILL NO. 422—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 38:2225.2, relative to public contracts; to prohibit the state of Louisiana and any state or local entity from utilizing the "design-build" concept unless authorized by law; to prohibit the state of Louisiana and any state or a local entity from entering into any agreement to purchase unimproved property which requires the successful design and construction of a structure prior to

transfer of title unless authorized by law; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Diez sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Diez to Reengrossed Senate Bill No. 422 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and lines 3 through 8 in their entirety and insert the following:

"amend and reenact R.S. 48:250.2(A) and (C), to enact R.S. 48:250.3, and to repeal R.S. 48:250.2(B), relative to public contracts; to provide relative to contracts let by the Department of Transportation and Development; to remove certain limitations of the design-build program in the Department of Transportation and Development; to authorize the department to construct the New Mississippi River Bridge at St. Francisville, including approach structures and connecting roadways, using the design-build method; to provide relative to procedures regarding the design-build method; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 10, after "Section 1." delete the remainder of the line and delete lines 11 through 15 in their entirety and on page 2, delete lines 1 through 5 in their entirety and insert the following:

"R.S. 48:250.2(A) and (C) are hereby amended and reenacted and R.S. 48:250.3 is hereby enacted to read as follows:

§250.2. Design-build contracts; administration

A. Notwithstanding any law to the contrary or the requirements of this Part, if the secretary determines in his discretion that it is in the best interest of the taxpayers, the Department of Transportation and Development may formulate, develop, and implement a ~~pilot~~ program to study the feasibility of combining the design and construction phases of a transportation facility facilities not intended for human occupancy, including but not limited to highways, interchanges, or bridges, or buildings into a single contract.

* * *

C. This ~~pilot~~ program shall be limited in duration to allow ~~only one~~ project, at a cost not to exceed five million dollars for such project, two projects to be performed under using the design-build method. One project shall be the construction of the New Mississippi River Bridge at St. Francisville (connection to US 61) including approach structures and connecting roadways, which is included in the Transportation Infrastructure Model For Economic Development program. The second project shall be chosen at the discretion of the secretary; however, the cost of the second project shall not exceed five million dollars.

* * *

§250.3. Design-build contracts; qualification of bidders; public announcement procedures; letters of interest; selection of short list; bid proposals by competitors; technical review committee; selection and process of award

A. To qualify for a design-build contract with the department, a single legal entity shall possess professional engineering design capability or qualified construction contracting capability. The department's standard technical qualification requirements for firms providing professional engineering services as provided for in R.S. 48:290 shall apply to the components providing design services, and the standard contractor qualifications as provided for in R.S. 37:2150 through 2164 and the current rules and regulations of the State of Louisiana Licensing Board for Contractors shall apply to the component providing construction services utilized by the design-build firm, based upon the applicable categories for the specific project. All qualification requirements for each component shall be finalized by the department prior to the closing date for the submittal of letters of interest.

B.(1) A notice of intent to select a firm for design-build services and to request letters of interest and statements of qualifications from qualified firms or teams shall be distributed by the department through advertisement in the Daily Journal of Commerce, the Baton Rouge Advocate, by appearance on the Department of Transportation and Development's internet home page, and by other means to ensure adequate response including newspapers, trade journals, and other forms of media which may be appropriate for specialty services. All notices of intent shall be advertised a minimum of thirty days prior to the deadline for receipt of responses and shall contain a brief description of the project, the required scope of services, and sufficient information for design or construction firms to determine their interest and to enable them to submit a letter of interest and statement of qualifications. The department may re-advertise the notice of intent using additional media or publications in an attempt to solicit additional responses if the number of responses received by the department is inadequate.

(2)(a) The department may use a private design professional to develop the description of the project and the required scope of services; however, if the department uses a private design professional, the private design professional shall be selected in accordance with the provisions of R.S. 48:291(A).

(b) The description of the project and the required scope of services shall include design criteria, analyses, reports, and cost estimates for the design-build project as prepared by a private design professional or the department.

(c) The department or the private design professional shall provide technical advice, construction review services, and professional expertise as needed throughout the design-build process.

(d) The design-build team shall include a registered design professional who shall be independent from the department's design professional and shall be named in the team's proposal and retained for the duration of the design-build project.

C. The department shall identify all required information in the notice of intent and in the standard response forms provided by the department. The notice of intent shall include statements of qualification by credential and experience of design team members for the areas of expertise specific to the project and statements of qualification by experience and resources of the construction team component. The completed response form and any other required information shall be transmitted to the department by the responding firm prior to the deadline to submit such forms and information as provided in the notice of intent. Any response failing to meet all of the requirements contained in the notice of intent shall not be considered by the department. False or misrepresented information furnished in response to a notice of intent shall be grounds for rejection by the department.

D.(1) A primary design-build evaluation committee, whose membership is provided for in R.S. 48:291(A), shall evaluate the responses to the notice of intent received by the department. The

following general criteria used by the primary evaluation committee in evaluating responses to the notice of intent for design-build services shall apply to both the design entity and the construction entity of any responding firm or team:

(a) Experience of both the firm and of key personnel as related to the project under consideration.

(b) Past performance on department projects.

(c) Any project-specific criteria as may apply to project needs.

(2) The primary evaluation committee shall evaluate the responding firms or teams on the basis of the criteria set forth in this Subsection and shall select a short list of not less than three nor more than five of the highest rated firms. The selected firms shall be invited to submit a detailed technical and cost proposal for the design-build project. The primary evaluation committee may, at its discretion, be assisted by other department personnel but shall not consider recommendations by others in its evaluation of firms' qualifications.

E.(1) Depending upon the complexity of the project and the degree of flexibility towards the design or construction method, the specific requirements of the technical proposal shall be identified by the department to the firms making the short list by means of a "Scope of Services Package". Generally, the technical proposal shall include discussions of design strategy and preliminary design concepts, construction sequencing, technique, materials and methods, the estimated time for commencement and completion of all phases of work, and a lump sum cost for all services in fulfillment of the requirements and within the constraints of the "Scope of Services Package".

(2) For more complex projects and projects with scopes which permit flexibility and innovation in the design and construction approach, the department shall compensate all short list firms for the expense of preparing the technical proposal. The amount of compensation paid for the technical proposal shall be predetermined by the department and shall be revealed to the firm at the time the firm is notified of its selection to the short list.

F. The technical review committee shall include representatives from the construction, road design, bridge design, and planning divisions of the department. With the approval of the chief engineer, the technical review committee shall assign a project manager, who will become a member of the technical review committee for the project. The technical review committee, including the project manager, shall identify specific technical elements of the project, depending on the characteristics of the project, to be included in the technical score. Additionally, the technical review committee shall, with the approval of the chief engineer, select additional committee members to score each technical element of the project. Members of the technical review committee shall not have served as members of the primary evaluation committee. Each member of the technical review committee shall make his scoring of assigned elements available for public review. Such scores shall be considered public record.

G.(1) An adjusted score approach shall be used by the department in determining the winning proposal. An adjusted score shall be determined using the following three components:

(a) The technical score determined by the technical review committee. Weighing factors may be assigned to each element depending on its relative magnitude or significance to the overall project. Each technical review committee member shall rate his assigned element for the proposal from each of the firms on the short list and shall submit such scores to the chairman of the technical review committee. The price bid shall not be made known to the technical review committee during the scoring process. The chairman of the

technical review committee shall adjust the scores for any applicable weighing factors and shall determine the total technical score for each proposal.

(b) The time value, consisting of the product of the proposed contract time expressed in days and the value-per-day expressed in dollars established by the department and included in the "Scope of Services Package". The design-build process shall normally include a bid adjustment for the value of time based on the firm's proposed number of days to complete the project multiplied by the value-per-day established by the department. This adjustment shall be used for selection purposes and shall not affect the department's liquidated damages schedule or constitute an incentive or disincentive to the contract.

(c) The price proposal.

(2) The adjusted score shall be the sum of the time value and price proposal divided by the technical score. The winning proposal shall be the proposal with the lowest adjusted score. The adjusted score for each technical proposal shall be determined by the following formula: $\text{Adjusted Score} = (\text{Price Bid} + \text{Time Value}) \text{ divided by Technical Score}$. If the Time Value is not used, the Adjusted Score shall be determined by the following formula: $\text{Adjusted Score} = \text{Price Bid divided by Technical Score}$.

Section 2. R.S. 48:250.2(B) is hereby repealed in its entirety."

AMENDMENT NO. 3

On page 2, line 6, change "Section 2." to "Section 3."

Motion

Rep. Hopkins moved that the bill be returned to the calendar.

Rep. Diez objected.

By a vote of 53 yeas and 44 nays, the House returned the bill to the calendar.

SENATE BILL NO. 556— BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K), and to enact Subpart E of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:18.1, relative to cooperative endeavor agreements; to require the commissioner of administration to provide a system of tracking certain cooperative endeavor agreements; to provide for review and approval of certain cooperative endeavor agreements by the Joint Legislative Committee on the Budget; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Martiny sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Downer and Martiny to Reengrossed Senate Bill No. 556 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 5, after the semi-colon ";", insert the following:

"to provide definitions; to authorize and provide for certain cooperative endeavor agreements;"

AMENDMENT NO. 2

On page 3, after line 17, insert the following:

"D. The Department of Education shall enter into cooperative endeavor agreements with parents or legal guardians of students participating in the Louisiana Parental Choice in Primary Education Demonstration Program, the terms of which agreements shall provide for state payment of student tuition under certain circumstances.

(1) As provided in cooperative endeavor agreements executed for such purpose, beginning with the 2003-2004 school year, the Department of Education shall pay an eligible student's nonpublic school tuition for four-year old early childhood education and for kindergarten through third grade education in amounts provided for by this Subsection. The parent or legal guardian shall be a citizen of the United States and a resident of Louisiana as defined by the administering agency and shall have the legal authority to make educational decisions for the student.

(2) To be eligible and participate in the state demonstration program provided by this Subsection a student shall meet each of the following conditions and all other applicable provisions of this Subsection:

(a) Reside full-time with a parent or legal guardian in a parish within the demonstration program area which shall be the parishes of Caddo, East Baton Rouge, Jefferson, Lafayette, Ouachita, and Orleans.

(b) Be eligible to participate in the federal free or reduced cost school lunch program.

(c) Be enrolled in a four-year old early childhood program at an eligible school pursuant to a program funded through appropriation of federal Temporary Assistance to Needy Families Program monies or be enrolled in kindergarten through third grade at an eligible school and have been previously enrolled at such school in a four-year old early childhood program pursuant to a program funded through appropriation of federal Temporary Assistance to Needy Families Program monies.

(3) To be eligible and participate in the state demonstration program provided by this Subsection a school shall meet each of the following conditions and all other applicable provisions of this Subsection:

(a) Be approved by the State Board of Elementary and Secondary Education pursuant to the provisions of R.S. 17:11 relative to nonpublic schools and comply with the provisions of *Brumfield v. Dodd*, 425 F. Supp. 528.

(b) Have provided early childhood education classes funded for eligible students through appropriation of federal Temporary Assistance to Needy Families Program monies.

(c) Provide documentation of student eligibility.

(4)(a) The amount of state payment made pursuant to a cooperative endeavor agreement for an eligible student's tuition for four-year old early childhood education shall be equal to the actual cost of such tuition at the eligible school attended or the amount provided for by the early childhood education program funded for eligible students through appropriation of federal Temporary Assistance to Needy Families Program monies, whichever is less.

(b) The amount of state payment made pursuant to a cooperative endeavor agreement for an eligible student's tuition for kindergarten through third grade education shall be equal to the actual cost of such tuition at the eligible school attended or the average per pupil allocation of state funds pursuant to the minimum foundation program formula for that particular school year to the city, parish, or other local public school system in which the student would otherwise attend school if attending public school, whichever is less.

(5) Beginning with the 2003-2004 student enrollment forecast adopted by the Education Estimating Conference, the conference annually shall determine any per pupil funding allocation adjustment as may be necessary to be made pursuant to the minimum foundation program formula as a result of the implementation of the program. Such forecast determination shall be based upon the projected number of eligible students participating in the program for each given year and shall be made a part of the annual student enrollment forecast submitted by the conference pursuant to law.

(6) The State Board of Elementary and Secondary Education, in consultation with the board's Nonpublic School Commission, shall adopt rules necessary to implement the provisions of this Subsection and provide for program administration by the state Department of Education.

(7) The cooperative endeavor agreements provided for in this Subsection shall not be subject to the review of the Joint Legislative Committee on the Budget as required by R.S. 24:653(K)."

Point of Order

Rep. Salter asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

On motion of Rep. Martiny, the amendments were withdrawn.

Rep. Hebert sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 556 by Senator McPherson

AMENDMENT NO. 1

On page 3, at the end of line 17, insert the following:

"The committee may require that the commissioner approve the agreement."

On motion of Rep. Hebert, the amendments were adopted.

Rep. Alario sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 556 by Senator McPherson

AMENDMENT NO. 1

Page 76 HOUSE

47th Day's Proceedings - June 22, 2003

On page 3, at the beginning of line 2, delete "hundred thousand" and insert "million"

On motion of Rep. Alario, the amendments were adopted.

Rep. Farrar sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Reengrossed Senate Bill No. 556 by Senator McPherson

AMENDMENT NO. 1

On page 3, after line 17 add the following:

"Section 3. This Act shall become effective on January 1, 2004."

On motion of Rep. Farrar, the amendments were adopted.

Rep. Farrar moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:
YEAS

Alario	Glover	Nevers
Ansardi	Green	Odinet
Arnold	Guillory	Psychaud
Baldone	Heaton	Pinac
Baylor	Hebert	Pitre
Bowler	Hill	Powell
Broome	Honey	Quezaire
Bruce	Hudson	Richmond
Carter, K	Hunter	Romero
Carter, R	Hutter	Salter
Cazayoux	Iles	Schwegmann
Crowe	Jackson, L	Shaw
Curtis	Jackson, M	Smith, G.—56th
Damico	Johns	Smith, J.H.—8th
Daniel	Kenney	Smith, J.R.—30th
Darte	LaFleur	Sneed
Devillier	Lancaster	Stelly
Diez	Landrieu	Strain
Downs	LeBlanc	Swilling
Durand	Lucas	Thompson
Erdey	Martiny	Townsend
Farrar	McDonald	Tucker
Faucheux	McVea	Waddell
Flavin	Montgomery	Welch
Frith	Morrell	Wooton
Futrell	Morrish	Wright
Gallot	Murray	
Total—80		

NAYS

Mr. Speaker	Hammett	Triche
Alexander	Hopkins	Walker
Bruneau	Katz	Walsworth
Crane	Pierre	Winston
Fannin	Schneider	
Frige	Toomy	
Total—16		

ABSENT

Baudoin	Doerge	Perkins
Beard	Downer	Scalise

Capella
Total—9

Kennard

Smith, J.D.—50th

The Chair declared the above bill was finally passed.

Rep. Farrar moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SENATE BILL NO. 89—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Swilling sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Swilling to Engrossed Senate Bill No. 89 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "R.S." insert "R.S. 33:2828 and 9033.4 and"

AMENDMENT NO. 2

On page 1, line 5, after "procedures;" insert the following:

"to create the Ninth Ward Tax Increment Financing District; to provide for the powers and duties of the district, including the power to engage in tax increment financing; to provide for the governance of the district; to provide for the boundaries of the district; to establish the St. Claude Avenue Economically Disadvantaged Enterprise Zone; to specify the boundaries of the zone; to authorize the city of New Orleans to grant tax exemptions;

AMENDMENT NO. 3

On page 1, between lines 6 and 7 insert the following:

"Section 1. R.S. 33:2828 and 9033.4 are hereby enacted to read as follows:

§2828. St. Claude Avenue Economically Disadvantaged Enterprise Zone; declaration of purpose; creation; boundaries; exemptions

A. The Legislature of Louisiana hereby finds and declares that the continued viability of retail shopping areas is of vital importance to the people of this state and in particular in economically distressed or disadvantaged areas. Retail shopping areas provide substantial employment and economic activity and bring the availability of goods and services into the midst of our cities. In a number of large metropolitan areas the continued existence or economic viability of these important areas is being threatened. Therefore, it is declared that the purpose of this Section is to provide appropriate local tax relief to enable these economically threatened retail shopping areas to continue to be an economic hub of their respective communities.

B. The St. Claude Avenue Economically Disadvantaged Enterprise Zone, hereinafter referred to as the "zone", is hereby created and established in the parish of Orleans.

C. The boundaries of the zone shall be as follows: those retail establishments whose municipal address is within that portion of St. Claude Avenue from the parish line to the Industrial Canal; all within the boundaries of Orleans Parish.

D. The governing authority of the city of New Orleans may grant tax exemptions on retail purchases made at such retail establishments within the zone from any sales and use tax imposed by the city of New Orleans.

* * *

§9033.4. Ninth Ward Tax Increment Financing District

A. Creation. (1) The Ninth Ward Tax Increment Financing District, referred to in this Section as the "district", is hereby created within the parish of Orleans. The district shall be a special district and political subdivision of the state created to plan and facilitate the revitalization of the residential and commercial areas within the district.

(2) The district shall be comprised of the area which comprises House of Representatives District No. 99 as established by Act No. 3 of the 2001 Second Extraordinary Session.

B. Governance. (1) The district shall be governed by a nine-member board of commissioners. The members of the board shall be appointed as follows:

(a) The member or members of the Louisiana House of Representatives who represent the area which comprises the district shall appoint two members.

(b) The member or members of the Louisiana Senate who represent the area which comprises the district shall appoint one member.

(c) The member or members of the governing authority of the city of New Orleans who represent the area which comprises the district shall appoint one member.

(d) The mayor of the city of New Orleans shall appoint one member.

(e) The governing board of the United Business and Community Coalition, Inc. shall appoint one member.

(f) The governing board of Gatekeepers, Inc. shall appoint two members.

(g) The governing board of the ByWater Neighborhood Association shall appoint one member.

(2) Each commissioner shall be a qualified voter of Orleans Parish and shall have his principal place of business or profession in, or own property in, the district.

(3)(a) Members shall serve four-year terms after initial terms as provided in Subparagraph (b) of this Paragraph.

(b) Three members shall serve an initial term of one year; two shall serve an initial term of two years; two shall serve an initial term of three years; and two shall serve an initial term of four years, as determined by lot at the first meeting of the board.

(4) Any vacancy which occurs prior to the expiration of the term for which a member of the board has been appointed shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

C. Administration. (1) As soon as practical after being appointed, the board members shall meet and elect from their membership a chairman, a vice chairman, a secretary, and a treasurer, and such other officers as they may deem appropriate.

(2) The duties of the officers shall be fixed by the bylaws adopted by the board. It shall hold regular meetings as shall be provided in the bylaws and may hold special meetings at such time and places within or without the district as may be prescribed in the bylaws.

(3) The minute books and archives of the board shall be maintained by the secretary of the board.

(4) A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available to the public in conformance with law.

(5) The members of the board shall serve without compensation; however, they may receive a travel allowance as reimbursement for expenses incurred while attending to the business of the board or the district.

D. Revenue bonds. The district may issue revenue bonds payable from revenues generated by economic development projects with a pledge and dedication of up to the full amount of sales tax increments annually to be used as a guaranty of any shortfall, or at the option of the district, payable solely from an irrevocable pledge and dedication of up to the full amount of sales tax increments, in an amount to be determined by the district, to finance or refinance all or any part of an economic development project as specified in Subsection P of this Section. For purposes of this Section, a sales tax increment shall consist of that portion of the designated sales tax, hereinafter defined, collected each year on the sale at retail, the use, the lease or rental, the consumption and storage for use or consumption of tangible personal property, and on sales of services, all as defined in R.S. 47:301 et seq., or any other appropriate provision or provisions of law as amended, from taxpayers located within an economic development area which exceeds the sales tax revenues of the designated sales tax that were collected in the year immediately prior to the year in which the area was designated as an economic development area. Dedication of sales tax increments to pay the revenue bonds shall not impair existing obligations and shall not include tax revenues previously dedicated for a special purpose, nor revenues of any sales taxes collected by the state of Louisiana or any political subdivision other than the district.

E. Economic development area. At such time as the district proposes to issue revenue bonds pursuant to this Section, it shall designate the boundaries of the economic development area, hereinafter called the "sales tax area", from which sales tax increments are to be pledged and dedicated to the payment of the revenue bonds. Prior to designating the boundaries of the sales tax area, a notice describing the boundaries of the proposed sales tax area or containing a map showing the boundaries thereof shall be published two times in the official journal of the city of New Orleans.

F. Sales tax dedication. After the designation of the boundaries of the sales tax area, the district shall designate the local sales taxes which are to be used in determining the sales tax increments and the initial annual baseline collection rate for the sales tax area, which shall be the amount of such designated sales taxes collected in the sales tax area in the fiscal year of the district most recently completed prior to the establishment of the sales tax area. In addition, a monthly baseline collection rate shall be determined by dividing the initial annual baseline

collection rate by twelve. The initial annual baseline collection rate and the monthly baseline collection rate shall be certified by the chief financial officer or equivalent of the district. The certification shall also be published one time in the official journal of the city of New Orleans. If the amounts of the initial annual baseline collection rate and the monthly baseline collection rate are not contested within thirty days after the said publication, then such amounts shall be conclusively presumed to be valid, and no court shall have any jurisdiction to alter or invalidate the designation of the amount of either the initial annual baseline collection rate or the monthly baseline collection rate.

G. Pledged sales taxes. The increment of the designated sales taxes which are to be pledged and dedicated to the payment of the revenue bonds shall be the amount of the designated sales taxes which are collected in the sales tax area each year in excess of the initial annual baseline collection rate. Such pledged sales tax increment may include all or any portion of the said excess, as may be determined by the district issuing the revenue bonds.

H. Payment. All sales tax increment revenue bonds issued hereunder shall be payable semiannually as to interest and annually as to principal and may be issued in series from time to time on a parity with any other revenue bonds issued by the district and payable from the same pledged sales tax increment. Upon the issuance of the revenue bonds, the district shall establish a sinking fund to be used to accumulate monies for the payment of principal and interest on the revenue bonds and a debt service reserve fund in such amount as may be deemed necessary by the district to allow the revenue bonds to be marketed at reasonable interest rates. The sinking fund and reserve fund shall be established and maintained for as long as the revenue bonds are outstanding with a bank or trust company located in the state, pursuant to a written trust agreement between the district and the bank or trust company.

I. Maturity. The maturities of the revenue bonds shall be arranged in such a manner that the total amount of principal and interest falling due in any calendar year shall never exceed seventy-five percent of the amount of the pledged sales tax increment estimated by the governing authority of the district to be received in the first full calendar year after the economic development project has been completed.

J. Notice. Upon the issuance of revenue bonds payable from or backed by the pledged sales tax increment, the district shall provide notice thereof to the collector of any local sales taxes included in the designated sales taxes and shall provide the collector with a schedule showing the annual debt service requirements on the revenue bonds and a schedule showing the monthly sinking fund payment for each month during which the revenue bonds are to be outstanding. The monthly sinking fund payment for each month shall be an amount equal to one-sixth of the interest payable on the revenue bonds on the next succeeding interest payment date and one-twelfth of the principal of the revenue bonds maturing on the next succeeding principal payment date, together with any adjustments to the account for a period before the interest payment which is not equal to six months or a period before the first principal payment which is not equal to twelve months.

K. Collector. Not later than the twentieth day of each calendar month, the collector of any local sales taxes included in the designated sales taxes shall determine the amount of the revenues of the designated sales taxes in the sales tax area collected during the preceding calendar month in excess of the monthly baseline collection rate, and the portion of such excess that constitutes the pledged sales tax increment, and shall transfer a ratable amount equal to the lesser of the monthly sinking fund payment or the pledged sales tax increment to the sinking fund. In the event that the pledged sales tax increment for any month is less than the monthly sinking fund payment for such month, then any shortfall shall be made up in subsequent months to the extent that incremental revenues are available for that purpose. After each annual principal payment, the district shall use excess monies in the sinking fund, if any,

as a credit against monthly sinking fund deposits in the next year or to prepay or purchase or for the defeasance of outstanding bonds.

L. Shortfalls. Notwithstanding any other provisions of this Chapter, in the event the district pledges sales tax increments to be used as a guaranty of any shortfall existing from any other revenues pledged to secure revenue bonds issued under authority of this Section, such sales tax increments shall be deposited, not into a sinking fund, but into a debt service reserve fund, on the same basis and with the same frequency described in Subsections F and G of this Section only until amounts in the debt service reserve fund equal three years of the average principal and interest due on the bonds for the term of the bonds. After funding the debt service reserve fund to the level stated, and for so long as the debt service reserve fund remains funded at that level, the collector of local sales taxes shall treat any sales tax increments collected in the same manner as any other sales tax collected. If the debt service reserve fund has fallen below the stated amount, the collector shall, to the extent possible, transfer sales tax increments collected to the debt service reserve fund, in order to maintain such fund at the appropriate level. After payment in full of any bonds secured by a pledge of sales tax increments to be used to guaranty any shortfall existing from any other revenues pledged to secure bonds, any amounts remaining in the debt service reserve fund shall be transferred to the district and be deposited in a special fund to be created and used to promote other economic development opportunities.

M. Additional powers. The powers and rights conferred by this Section shall be in addition to the powers and rights conferred by any other general or special law. This Section, and any provisions of this Chapter not inconsistent therewith, does and shall be construed to provide a complete and additional method for the issuance of revenue bonds secured by a pledge of sales tax increments. No election, proceeding, notice, or approval shall be required for the issuance of any revenue bonds secured by a pledge of sales tax increments except as provided herein. The provisions of this Section shall be liberally construed for the accomplishment of its purposes.

N. District powers. The district may propose to carry out the purposes of this Chapter without the necessity of creating and organizing an economic development corporation and shall have all of the powers, rights, duties, and obligations of such a corporation under this Chapter and may do any act or take any action which such a corporation is authorized to do under this Chapter. However, the requirements of R.S. 33:9023 through 9026 shall not be deemed to apply.

O. Publication. A copy of the instrument authorizing the issuance of bonds hereunder shall be published immediately after its adoption in one issue of the official journal of the city of New Orleans. For thirty days after the date of publication, any person in interest may contest the legality of such document, any provision of the bonds, the provisions therein made for the security and payment of the bonds, and validity of all other provisions and proceedings relating to the authorization and issuance of the bonds. After the expiration of such period, no person may contest the regularity, formality, legality, or effectiveness of the document, any provisions of the bonds to be issued pursuant thereto, the provisions for the security and payment of the bonds, and the validity of all other provisions and proceedings relating to their authorization and issuance, for any cause whatever. Thereafter, it shall be conclusively presumed that the bonds, the legal documents providing for the bonds, and all security for the bonds is legal and that every legal requirement for the issuance of the bonds has been complied with. No court shall have authority to inquire into any of these matters after the aforementioned publication period.

P. Economic development projects. For the purposes of this Section, the term "economic development project" shall mean and include, without limitation, any and all projects suitable to any industry determined by the district or, as appropriate, the issuers of revenue

bonds, to create economic development. Economic development projects shall include, without limitation, the following industries:

(1) Industrial, manufacturing, and other related industries.

(2) Housing and related industries.

(3) Hotel, motel, and related industries.

(4) Commercial, retail, and related industries.

(5) Amusement, places of entertainment, theme parks, and any other tourism-related industry.

(6) Transportation-related industries.

(7) Hospital, medical, health, nursery care, nursing care, clinical, ambulance, laboratory, and related industries.

(8) Any other industry determined by the district or issuer of revenue bonds, as appropriate, whose assistance will result in economic development."

AMENDMENT NO. 4

On page 1, line 7, change "Section 1." to "Section 2."

Point of Order

Rep. Bowler asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

On motion of Rep. Swilling, the amendments were withdrawn.

Rep. Farrar moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Perkins
Alario	Green	Pychaud
Alexander	Guillory	Pierre
Ansardi	Hammett	Pinac
Arnold	Heaton	Pitre
Baldone	Hebert	Powell
Baudoin	Hill	Quezaire
Baylor	Honey	Richmond
Bowler	Hopkins	Romero
Broome	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Hutter	Schwegmann
Capella	Iles	Shaw
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crowe	Kenney	Sneed
Curtis	LaFleur	Stelly
Damico	Lancaster	Strain
Dartez	Landrieu	Swilling
Devillier	LeBlanc	Thompson
Diez	Lucas	Toomy

Downs	Martiny	Townsend
Durand	McDonald	Triche
Erdey	McVea	Tucker
Fannin	Montgomery	Waddell
Farrar	Morrell	Walker
Flavin	Morrish	Welch
Frith	Murray	Wooton
Futrell	Nevers	Wright
Gallot	Odinot	
Total—92		

NAYS

Crane	Fruge	Winston
Daniel	Katz	
Faucheux	Smith, G.—56th	
Total—7		

ABSENT

Beard	Downer	Schneider
Doerge	Kennard	Walsworth
Total—6		

The Chair declared the above bill was finally passed.

Suspension of the Rules

On motion of Rep. Morrell, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE BILLS

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 88
Returned with amendments.

House Bill No. 294
Returned with amendments.

House Bill No. 601
Returned with amendments.

House Bill No. 725
Returned with amendments.

House Bill No. 783
Returned with amendments.

House Bill No. 1051
Returned with amendments.

Page 80 HOUSE

47th Day's Proceedings - June 22, 2003

House Bill No. 1052
Returned with amendments.

House Bill No. 1122
Returned with amendments.

House Bill No. 1287
Returned with amendments.

House Bill No. 1688
Returned with amendments.

House Bill No. 1845
Returned with amendments.

House Bill No. 2019
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

House Bills and Joint Resolutions Returned from the Senate with Amendments

Rep. Morrell asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just returned from the Senate, with amendments to be concurred in by the House, with a view of acting on the same:

HOUSE BILL NO. 294— BY REPRESENTATIVE MORRELL AN ACT

To amend and reenact R.S. 15:529.1(C), relative to the habitual offender law; to provide for applicability based upon the period of time between each conviction; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Reengrossed House Bill No. 294 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:529.1(C)" insert "and to enact R.S. 15:574.22(G)(4)" and between "law" and ";" insert the following:

"and those sentenced to life in prison as a habitual offender and otherwise"

AMENDMENT NO. 2

On page 1, line 4, after "conviction," insert the following:

"to authorize application of offenders to the risk review panel under certain conditions; to provide for exceptions;"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" insert "and R.S. 15:574.22(G)(4) is hereby enacted"

AMENDMENT NO. 4

On page 2, between lines 11 and 12 insert the following:

"§574.22. Louisiana Risk Review Panel

* * *

G. The panel shall have the duty to evaluate the risk of danger to society which each person who has been convicted of a crime not defined or enumerated as a crime of violence in R.S. 14:2(13), and who is confined in a prison facility of any kind, may present if released from confinement. However, the panel shall not evaluate the risk of danger to society presented by:

* * *

R.S. 15:574.22(G)(4) is all proposed new law.

(4)(a) A person serving a term of life imprisonment as a result of a conviction for a crime defined or enumerated as a crime of violence by R.S. 14:2(13).

(b) A person sentenced to a term of life imprisonment as a habitual offender under R.S. 15:529.1 where one or more of the crimes for which the person was convicted and sentenced under R.S. 15:529.1 is a crime of violence defined or enumerated in R.S. 14:2(13).

(c) Except for persons excluded from evaluation by the panel under the provisions of Subparagraphs (a) and (b) of this Paragraph, a person serving a term of life imprisonment may be evaluated by the risk review panel to determine the risk of danger he presents to society upon his serving not less than twenty years of the term of imprisonment in actual custody.

* * *"

Rep. Morrell moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Peychaud
Alario	Glover	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Beard	Honey	Salter
Bowler	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crane	Katz	Sneed
Crowe	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Downs	Martiny	Triche

Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Fruge	Odinet	Wright
Futrell	Perkins	
Total—101		

NAYS

Total—0

ABSENT

Curtis	Downer
Doerge	Kennard
Total—4	

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 138: Reps. Triche, Schneider, and McVea.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 335: Reps. Pinac, Frith, and Bruce.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 410: Reps. McVea, Schneider, and Triche.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1137: Reps. Townsend, Pierre, and Hammett.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1416: Reps. Gallot, Bruneau, and Cazayoux.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1432: Reps. Daniel, Broome, and Murray.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1442: Reps. Swilling, Schneider, and Arnold.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1984: Reps. Gary Smith, Martiny, and Baldone.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 4: Reps. Farrar, Bruneau, and Pitre.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 908: Reps. Bruneau, Toomy, and Downer.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 917: Reps. Kenney Vice Diez.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1476: Reps. Hebert, Richmond, and Fruge.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to Senate Bill No. 909: Reps. Tucker, Pinac, and Waddell.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1889: Reps. Lucas, Murray, and Pinac.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

HOUSE BILL NO. 501— BY REPRESENTATIVE SWILLING

AN ACT

To enact R.S. 33:9076, to create the Lake Barrington Subdivision Improvement District; to provide relative to the boundaries, purpose, and governance of the district; to provide relative to taxes or fees to be levied and collected in the district; to provide relative to district plans; and to provide for related matters.

Page 82 HOUSE

47th Day's Proceedings - June 22, 2003

HOUSE BILL NO. 549—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), relative to the Tuition Opportunity Program for Students Opportunity Award; to provide eligibility requirements, including minimum scores on certain tests; and to provide for related matters.

HOUSE BILL NO. 784—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:2721.1(A), relative to the recordation of leases of immovable property; to provide for recordation of certain mineral leases; and to provide for related matters.

HOUSE BILL NO. 876—

BY REPRESENTATIVES JOHNS, PERKINS, BOWLER, BROOME, TRICHE, AND WINSTON

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv), relative to vital records forms; to provide for contents of the birth certificate; to provide for the surname of an illegitimate child in certain circumstances; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 927—

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 46:18, relative to disability; to provide for access to medical records; to provide for costs associated with photocopying; and to provide for related matters.

HOUSE BILL NO. 1147—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 28:381(1) and to enact R.S. 28:20, relative to admission to or services of treatment facilities of the Department of Health and Hospitals; to limit admission to or services of such facilities to persons who meet certain criteria; and to provide for related matters.

HOUSE BILL NO. 1331—

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 40:34(B)(1)(h)(vi), relative to birth certificates; to provide for the inclusion of the name of the father; to provide for certain evidence and procedures; and to provide for related matters.

SENATE BILL NO. 133—

BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 38:2251(K) and R.S. 39:1595(J), relative to public contracts; to provide for preferences for certain clay products; and to provide for related matters.

SENATE BILL NO. 214—

BY SENATORS DUPRE, CAIN, SCHEDLER, ADLEY, BARHAM, BOISSIERE, CHAISSON, CRAVINS, DARDENNE, FIELDS, ELLINGTON, FONTENOT, GAUTREAUX, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, TARVER, THEUNISSEN AND THOMAS AND REPRESENTATIVES PITRE AND DOWNER

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10.2(B) and (C) and 10.5(C) of the Constitution of Louisiana and to add Article VII, Section 10(D)(2)(e) and (f) of the Constitution of Louisiana, relative to state funds; to provide for credit and appropriation of monies in the Mineral Revenue Audit and Settlement Fund for deposit in the Wetlands Conservation and Restoration Fund; to provide for the cap on the balance of certain mineral revenues that can be in the balance of the Wetlands Conservation and Restoration Fund; to provide for the allocation of appropriation of nonrecurring revenues for deposit into the Wetlands Conservation and

Restoration Fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

SENATE BILL NO. 568—

BY SENATORS DUPRE, CAIN, SCHEDLER, ADLEY, BARHAM, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, FIELDS, FONTENOT, GAUTREAUX, HINES, HOLLIS, HOYT, IRONS, LAMBERT, MCPHERSON, MICHOT, MOUNT, ROMERO, SMITH, TARVER AND THEUNISSEN

AN ACT

To amend and reenact R.S. 39:97(C) and R.S. 49:213.7(B)(1) and (D) and to enact R.S. 39:34(B)(2)(d) and 54(B)(2)(d) and (e) and to repeal R.S. 49:213.7(B)(3), relative to state funds; to provide for credit and appropriation of monies in the Mineral Revenue Audit and Settlement Fund for deposit in the Wetlands Conservation and Restoration Fund; to provide for a cap on the balance of certain mineral revenues that can be in the balance of the Wetlands Conservation and Restoration Fund; to provide for the allocation of appropriation of nonrecurring revenues for deposit into the Wetlands Conservation and Restoration Fund; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 968—

BY SENATOR B. JONES

AN ACT

To enact R.S. 46:153(H), relative to Medicaid assistance and estate recovery; to provide for retention of the Department of Health and Hospitals assignment of rights; and to provide for related matters.

The conference committee reports for the legislative instruments above lie over under the rules.

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 27 by Sen. Hainkel, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 297 by Sen. Dardenne, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 331 by Sen. Bajoie, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 138: Senators Boissiere, C. D. Jones, and Gautreaux.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 201: Senators Hollis, Hines, and McPherson.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like

committee from the House to confer on the disagreement to House Bill No. 409: Senators Hainkel Vice Marionneaux.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 410: Senators Boissiere, Hoyt, and C. D. Jones.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 439: Senators Lentini, Theunissen, and Schedler.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 862: Senators Heitmeier, Barham, and Boissiere.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 905: Senators Boissiere, Hoyt, and Gautreaux.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 914: Senators Boissiere, Dupre, and Gautreaux.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1043: Senators Heitmeier, Chaisson, and B. Jones.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1188: Senators Boissiere, Michot, and Dupre.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1204: Senators Boissiere, Gautreaux, and Dupre.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1416: Senators Hainkel, Marionneaux, and Ellington.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1442: Senators Boissiere, Heitmeier, and Irons.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1812: Senators Chaisson, Ellington, and Hainkel.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1944: Senators Adley, Cravins, and Malone.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 2002: Senators Heitmeier, Smith, and Dupre.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 297: Senators Dardenne, Schedler, and B. Jones.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate**HOUSE BILLS**

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 12
Returned without amendments.

House Bill No. 87
Returned without amendments.

House Bill No. 250
Returned without amendments.

House Bill No. 540
Returned without amendments.

House Bill No. 787
Returned without amendments.

House Bill No. 813
Returned without amendments.

House Bill No. 980
Returned without amendments.

House Bill No. 1023
Returned without amendments.

House Bill No. 1173
Returned without amendments.

House Bill No. 1177
Returned without amendments.

House Bill No. 1259
Returned without amendments.

House Bill No. 1266
Returned without amendments.

House Bill No. 1387
Returned without amendments.

House Bill No. 1617
Returned without amendments.

House Bill No. 1733
Returned without amendments.

House Bill No. 1783
Returned without amendments.

Page 86 HOUSE

47th Day's Proceedings - June 22, 2003

House Bill No. 1837
Returned without amendments.

House Bill No. 1858
Returned without amendments.

House Bill No. 1875
Returned without amendments.

House Bill No. 1918
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 22, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 128, 177, 223, 257, 307, 320, 326, 358, 406, 421, 437, 578, 684, 685, 761, 781, 801, 882, 900, 931, 942, 986, 1008, 1076, 1080, 1094, 1110, 1119, and 1132

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 151—

BY REPRESENTATIVES L. JACKSON, ALARIO, K. CARTER, CAZAYOUX, GALLOT, GREEN, HUNTER, M. JACKSON, LAFLEUR, LANDRIEU, MARTINY, MURRAY, RICHMOND, AND TOWNSEND

A CONCURRENT RESOLUTION

To recognize the 40th anniversary of *Gideon v. Wainwright*, 372 U.S. 335, 83 S.Ct. 792, 9 L.Ed. 2d 799 (1963), and to rededicate the state of Louisiana to the promise of equal justice for all, regardless of income, in accordance with the American Bar Association's (ABA) *Ten Principles of a Public Defense Delivery System*, by creating the Louisiana Task Force on Indigent Defense Services.

Read by title.

On motion of Rep. Lydia Jackson, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 152—

BY REPRESENTATIVE GLOVER

A RESOLUTION

To recognize the memorable occasion of the fifth annual Sunflower Trail and Festival in Gilliam, Louisiana.

Read by title.

On motion of Rep. Glover, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 153—

BY REPRESENTATIVE HOPKINS

A RESOLUTION

To express sincere and heartfelt condolences upon the death of the Honorable Hayward D. McCormick, mayor of Vivian, Louisiana.

Read by title.

On motion of Rep. Hopkins, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 154—

BY REPRESENTATIVES QUEZAIRE, PIERRE, MORRELL, BAYLOR, BROOME, K. CARTER, CURTIS, GALLOT, GLOVER, GUILLORY, HONEY, HUDSON, HUNTER, L. JACKSON, M. JACKSON, LUCAS, MURRAY, PEYCHAUD, RICHMOND, SWILLING, AND WELCH

A RESOLUTION

To commend the Honorable Kyle Mark Green and to express enduring gratitude for his outstanding contributions to Jefferson Parish and the state of Louisiana, particularly during his twelve-year tenure as a distinguished member of the Louisiana House of Representatives.

Read by title.

On motion of Rep. Quezaire, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 155—

BY REPRESENTATIVE LUCAS

A RESOLUTION

To urge and request the New Orleans City Council to take all appropriate measures to ensure the improvement of street lighting on North Claiborne Avenue between Poland Avenue and the Franklin Bridge.

Read by title.

On motion of Rep. Lucas, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 156—

BY REPRESENTATIVE JOHNS

A RESOLUTION

To urge and request the Department of Wildlife & Fisheries to establish public campgrounds at the Big Lake and Buckhorn Wildlife Management Areas.

Read by title.

On motion of Rep. Johns, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 157—

BY REPRESENTATIVE ROMERO

A RESOLUTION

To commend Chelsie Boudreaux for her selection to attend the South Louisiana Hugh O'Brian Youth Leadership Seminar held on June 13-15, 2003, in Baton Rouge, Louisiana, and for her selection to represent south Louisiana at the Hugh O'Brian World Leadership Congress in July in Washington, D.C.

Read by title.

On motion of Rep. Romero, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 158—

BY REPRESENTATIVES DOWNS, GALLOT, AND FANNIN
A RESOLUTION

To commend Melissa Clark of Ruston upon being crowned Miss Louisiana 2003.

Read by title.

On motion of Rep. Downs, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 159—

BY REPRESENTATIVES THOMPSON AND KENNEY
A RESOLUTION

To memorialize the United States Department of Agriculture and the Food and Drug Administration to develop a comprehensive plan for eliminating salmonella in turtles and opening the national market to the sale of turtles.

Read by title.

On motion of Rep. Thompson, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 160—

BY REPRESENTATIVE HUTTER
A RESOLUTION

To urge and request the Department of Environmental Quality to cease issuing permits to facilities that do not have a fixed, permanent point of discharge for discharges into certain portions of the Mississippi River, and to request that the House Committee on Environment study issues pertaining to discharges by such facilities.

Read by title.

On motion of Rep. Hutter, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 161—

BY REPRESENTATIVES BRUCE, BAUDOUIN, AND KATZ
A RESOLUTION

To commend the Honorable B.L. "Buddy" Shaw and to express enduring gratitude for his outstanding contributions to Caddo Parish and the state of Louisiana, particularly during his eight-year tenure as a distinguished member of the Louisiana House of Representatives.

Read by title.

On motion of Rep. Bruce, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 162—

BY REPRESENTATIVES DAMICO, ALARIO, GREEN, TOOMY, AND TUCKER
A RESOLUTION

To commend and recognize Joseph LeBlanc on his selection to represent south Louisiana at the Hugh O'Brian World Leadership Congress in Washington, D.C.

Read by title.

On motion of Rep. Damico, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 163—

BY REPRESENTATIVE FUTRELL
A RESOLUTION

To commend Electronic Warfare Technician Senior Chief Steve R. Sheppard upon his retirement from the United States Navy after twenty-seven years of service.

Read by title.

On motion of Rep. Futrell, and under a suspension of the rules, the resolution was adopted.

Privileged Report of the Committee on Enrollment

June 22, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 148—

BY REPRESENTATIVE LUCAS
A RESOLUTION

To recognize September 2003 as National Alcohol and Drug Addiction Recovery Month.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 22, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 190—

BY REPRESENTATIVE MARTINY
A CONCURRENT RESOLUTION

To suspend the provisions of Louisiana Code of Criminal Procedure Article 895.4 to the extent that those provisions authorize any agency which is certified as a crime stopper organization by any chief of any law enforcement agency other than a sheriff or a chief of a municipal police department to receive any funds from the additional cost of court imposed by Code of Criminal Procedure Article 895.4 other than funds which are derived from the cases which are investigated, developed, and referred to prosecution by those agencies.

HOUSE CONCURRENT RESOLUTION NO. 209—
BY REPRESENTATIVE GUILLORY AND SENATOR MOUNT
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.551 through 130.559, relative to the North Lake Charles Economic Development District, to suspend all aspects and provisions of law with respect to the North Lake Charles Economic Development District.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Governor in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 22, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 235—
BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN
A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2003, and as subsequently revised pursuant to board action on May 15, 2003.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 22, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following Joint Resolutions have been properly enrolled:

HOUSE BILL NO. 576—
BY REPRESENTATIVES LEBLANC, DEWITT, HAMMETT, MURRAY,
PINAC AND WALSWORTH
A JOINT RESOLUTION

Proposing to amend Article III, Section 11 of the Constitution of Louisiana, relative to the legislative auditor; to prohibit certain political activities by the legislative auditor and his employees; to prohibit any former legislative auditor from qualifying for elected public office for a certain time period; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 637—
BY REPRESENTATIVE LEBLANC
A JOINT RESOLUTION

Proposing to amend Article VII, Sections 10.3(A)(2)(a)(introductory paragraph) and 10.5(B) of the Constitution of Louisiana, to provide for the deposit of certain mineral revenues in the Budget Stabilization Fund; to correct an incorrect reference to the Budget Stabilization Fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above Joint Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 22, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 12—
BY REPRESENTATIVE CROWE
AN ACT

To enact R.S. 17:85.2, relative to naming a curriculum center; to authorize the parish school board in certain parishes to name a curriculum center in honor of a former educator and coach; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 43—
BY REPRESENTATIVE STRAIN
AN ACT

To enact R.S. 42:1113(D)(2)(f), relative to certain prohibited contractual arrangements; to allow a legislator, person who has been certified by the secretary of state as elected to the legislature, or spouse of a legislator or person who has been certified as elected to the legislature, or any corporation, partnership, or other legal entity in which such a person owns any interest to donate certain professional services to public entities; and to provide for related matters.

HOUSE BILL NO. 62—

BY REPRESENTATIVE GALLOT

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Paula Jo Odom v. State of Louisiana, through the Louisiana Department of Transportation and Development"; to provide for court costs; and to provide for related matters.

HOUSE BILL NO. 79—

BY REPRESENTATIVE BRUNEAU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Ralph Buras v. Darryl M. Schultz, Judges of Orleans Parish Criminal District Court and the State of Louisiana"; to provide for interest; to provide for court costs; and to provide for related matters.

HOUSE BILL NO. 332—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 42:1123(24), relative to contractors; to provide relative to governmental ethics; to provide for exceptions; to provide relative to the members of the State Licensing Board for Contractors; and to provide for related matters.

HOUSE BILL NO. 359—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 17:71.3(E)(2)(a) and (c), relative to the use of divided precincts in school board redistricting; to provide relative to precincts divided by the boundary between a city and a parish school system; to prohibit conducting an election using a ballot based on a plan that violates restrictions on the use of divided precincts; and to provide for related matters.

HOUSE BILL NO. 360—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 42:1119(C)(5), relative to the Code of Governmental Ethics; to provide for reemployment of retirees whose employment complies with provisions of such code relative to nepotism on the date of retirement; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 401—

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 17:1501.2, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specific tuition and attendance fee amounts for students attending Louisiana State University at Alexandria; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 404—

BY REPRESENTATIVES HUDSON, CURTIS, LAFLEUR, MORRELL, NEVERS, JACK SMITH, TRICHE, WELCH, WINSTON, BRUCE, ROMERO, SNEED, ALARIO, ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BAYLOR, BROOME, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, DAMICO, DANIEL, DEVILLIER, DIEZ, DURAND, FANNIN, FAUCHEUX, FRITH, FRUGE, GALLOT, GLOVER, GUILLORY, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, KENNARD, KENNEY, LEBLANC, LUCAS, McDONALD, MCVEA, MORRISH, MURRAY, ODINET, PEYCHAUD, PIERRE, PINAC, ROMERO, SALTER, SCHWEGMANN, SHAW, JOHN SMITH, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, AND WALKER

AN ACT

To enact R.S. 14:79.2 and R.S. 46:2143, relative to domestic abuse assistance; to authorize the use of electronic monitoring equipment in certain domestic violence cases; to require the court to specify the terms of electronic monitoring; to provide for minimum requirements of electronic monitoring; to provide for the implementation of the use of electronic monitoring on a pilot basis;

to create the crime of tampering with electronic monitoring equipment; to provide for criminal penalties; and to provide for related matters.

HOUSE BILL NO. 443—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit the employment of allied health professionals who are members of the immediate family of a member of the parish governing authority or a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and hospital public trust authorities; to provide relative to the employment of physicians and registered nurses who are immediate family members of such persons; to provide limitations; to provide for recusal; and to provide for related matters.

HOUSE BILL NO. 457—

BY REPRESENTATIVES TRICHE, FRITH, NEVERS, FAUCHEUX, AND GARY SMITH

AN ACT

To enact R.S. 17:154.1(A)(3) and (4), relative to minimum requirements for instructional time; to provide for applicability of such requirements to certain public schools and school systems under certain circumstances; to provide for certification by the state superintendent of education relative to such applicability; to provide for rules and regulations adopted by the State Board of Elementary and Secondary Education relative to such applicability; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 458—

BY REPRESENTATIVES CAZAYOUX AND BROOME AND SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 38:301(A)(3) as amended and reenacted by Act No. 243 of the 2003 Regular Session of the Louisiana Legislature, relative to the authority of levee boards and levee and drainage boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in West Baton Rouge Parish; and to provide for related matters.

HOUSE BILL NO. 461—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:753, 771(22)(a)(i), 772(A)(1) and (F)(8), 774(I), and 775(A)(7)(c) and (d) and to enact R.S. 32:774(K), relative to the Louisiana Used Motor Vehicle and Parts Commission; to provide for licensing requirements and educational hours; to provide for definitions; to provide for the membership of the commission and the change of its name; to provide for the powers and duties of the commission; to provide for insurance requirements; to provide relative to grounds for denial, suspension, or revocation of licenses; and to provide for related matters.

HOUSE BILL NO. 515—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3573.1, 3573.2(A)(4) and (B)(2), 3573.4(A) and (B), 3573.9, 3573.10(C), 3573.11, and 3573.14, to enact R.S. 9:3573.2-A, 3573.3(7), (8), (9), and (10), 3573.4(G), and 3573.17, and to repeal R.S. 9:3573.5(D) and (E), relative to credit repair services; to provide for legislative purpose; to provide for licensure; to provide for fees; to provide for prohibited conduct; to provide for filing of bond or trust accounts; to provide for the powers of the commissioner; to provide for actions for damages; to provide for penalties; to provide for electronic publication; to provide for notification; and to provide for related matters.

Page 90 HOUSE

47th Day's Proceedings - June 22, 2003

HOUSE BILL NO. 551—

BY REPRESENTATIVES HAMMETT AND LAFLEUR
AN ACT

To amend and reenact R.S. 9:2772(A) and (C), relative to peremptive periods for filing actions involving deficiencies in surveying, design, supervision, or construction of immovables; to provide for periods within which to file certain actions; and to provide for related matters.

HOUSE BILL NO. 558—

BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 56:434.1, relative to public oyster seed grounds; to create the Public Oyster Seed Ground Development Account; to provide for revenues and expenditures; to provide for administration of the account; and to provide for related matters.

HOUSE BILL NO. 560—

BY REPRESENTATIVES JACK SMITH AND PIERRE
AN ACT

To enact R.S. 34:851.36, relative to boating; to require boating safety courses for persons operating certain motorboats; to provide penalties for violations; and to provide for related matters.

HOUSE BILL NO. 573—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 39:75(C)(2) and to enact R.S. 39:75(E)(4), relative to state funds; to provide with respect to budgetary actions executed to cure a budget deficit or to avoid a projected budget deficit; to provide with respect to a reduction in an appropriation or the transfer of funds from the Louisiana Quality Education Support Fund; to require equal apportionment between the Board of Regents and the State Board of Elementary and Secondary Education of any reductions to appropriations resulting from a transfer of funds from the Louisiana Quality Education Support Fund; and to provide for related matters.

HOUSE BILL NO. 611—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 40:531(A), (C), and (D), 534, and 537, relative to local housing authorities; to provide relative to the appointment and removal of commissioners of certain local housing authorities established pursuant to resolution of certain parish governing bodies; to provide that the appointment and removal of commissioners of such housing authorities shall be made by the parish governing body; to provide relative to the certificate of appointment or reappointment for such commissioners; and to provide for related matters.

HOUSE BILL NO. 625—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 6:1096(G) and R.S. 9:3572.6(C), relative to loan brokers; to allow collection of certain fees by mortgage brokers and consumer loan brokers as part of an advance expense deposit; and to provide for related matters.

HOUSE BILL NO. 731—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 13:5063(C)(2)(b), relative to the Master Settlement Agreement; to provide for escrow payments by tobacco product manufacturers; to provide for the state's allocable share; to provide for the release of funds from escrow; and to provide for related matters.

HOUSE BILL NO. 750—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 17:239, to prohibit the use or operation of any electronic telecommunication device by a student in any public elementary and secondary school or on the grounds thereof or in any school bus used to transport public school students; to provide exceptions; to provide relative to penalties; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 802—

BY REPRESENTATIVE TRICHE
AN ACT

To enact Subpart B of Part VII of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1485.1 through 1485.8, relative to carnivals and amusements; to create the Louisiana Carnival and Amusement Rider Safety Act; to require riders of carnival and amusement rides to notify carnival and amusement owners of injuries sustained on rides; to provide for a code of conduct for riders of carnival and amusement rides; to require owners of certain carnivals and amusements to post notices; to provide for criminal penalties for violations of certain rules; and to provide for related matters.

HOUSE BILL NO. 831—

BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state and recommendations of the Board of Tax Appeals; to pay the final judgment in the suit entitled "Christine Vallien, Individually, on behalf of the estate of her husband, Leonard C. Vallien, and on behalf of her minor children, Joy Renee Vallien, Tiffany Rochelle Vallien, and Leonard C. Vallien, Jr. v. State of Louisiana through the Department of Transportation and Development"; to pay the consent judgment in "Kim Fitch, et al. v. Eddie Lewis, et al."; and to pay the consent judgment in "Kim Sonnier, et ux. v. Allstate Insurance Co., et al"; to pay the claim as recommended by the Board of Tax Appeals in "Petroleum Helicopters, Inc. v. State of Louisiana"; to pay the consent judgment in "State Farm Mutual Automobile Insurance Company (Paula Payne) v. State of Louisiana, through the Department of Transportation and Development, et al."; to pay the consent judgment in "Shuntell L. Chaney, individually and as natural tutrix of her minor children, Johnathan Chaney, Justin Chaney, and Jasmine Drake v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Ursell Spencer and Carolyn Spencer v. Union Pacific Railroad Company, et al."; to provide for interest; to provide for court costs; and to provide for related matters.

HOUSE BILL NO. 843—

BY REPRESENTATIVE FARRAR
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments against the state in the suits entitled "Ann Hickman, Douglas L. Hickman, and Emily Hickman v. State of Louisiana, through the Department of Transportation and Development"; "Terry L. Westbrook, et al. v. State of Louisiana, Department of Transportation and Development"; "Vickie Gayle Evans v. State of Louisiana, Department of Transportation and Development, et al."; "Bobby Allison v. Highlands Insurance Company, et al."; "Billy Hendrix, et al. v. Gilchrist Construction Company, et al."; "Joseph Wiltz v. City of Alexandria Public Works Division and Charlsie Contracting"; and "Melvin Smith and Lenora Smith v. State of Louisiana Department of Transportation and Development, et al."; to provide for costs; and to provide for related matters.

HOUSE BILL NO. 866—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 11:431, relative to the Louisiana State Employees' Retirement System; to provide relative to the purchase of service credit; to provide for the purchase of service credit by a system member who was previously a teacher in a nonpublic school; to provide that such purchase shall be actuarially sufficient to offset the increased liability of the system; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 867—

BY REPRESENTATIVES MORRELL AND PEYCHAUD

AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; and to provide for related matters.

HOUSE BILL NO. 969—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 22:2(A)(1) and 1138.1(A)(2), R.S. 23:1, R.S. 30:2003(A), and R.S. 51:121 and 921 and to enact R.S. 22:1368, relative to state agencies and the regulation of business and industry; to provide relative to the insurance industry; to provide for the conduct of certain adjudications involving insurance by the Division of Administrative Law; to provide relative to labor laws; to provide relative to regulation and control over the state's environment; to provide relative to commerce and economic development in the state; to provide for credit insurance; and to provide for related matters.

HOUSE BILL NO. 973—

BY REPRESENTATIVES DIEZ, KATZ, SCHNEIDER, AND THOMPSON

AN ACT

To enact Part XII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3568, and R.S. 9:3571.1(H)(3) and (I) through (L), relative to consumer credit; to provide for protection of victims of identity theft; to provide for police reports; to provide for information to be made available by creditors; to provide for security alerts; to provide for damages; and to provide for related matters.

HOUSE BILL NO. 1011—

BY REPRESENTATIVE DEVILLIER

AN ACT

To enact R.S. 40:1002, relative to controlled dangerous substances; to create the crime of the creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1054—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1505.2(K)(2), 1511.3(C), and 1532 and to enact R.S. 18:1491.1(B)(9) and 1505.2(K)(3), relative to the campaign finance laws; to provide for certain information to be included in the statement of organization of a political committee; to prohibit certain political committees from accepting contributions in excess of certain limits from any person; to provide for copies of reports filed with the supervisory committee to be provided to the public upon request; to exempt political committees from filing election day expenditure reports if no election day expenditures are made; and to provide for related matters.

HOUSE BILL NO. 1061—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 26:73(B), 272(B), and 906(C), relative to the permit process for obtaining a registration certification or permit to sell tobacco products and for obtaining certain restaurant permits; to authorize a dealer or vending machine operator to pay the annual renewal fee for a registration certification or permit by check; to provide for the definition of alcoholic beverages under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1084—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 11:1732(12)(b) and to enact R.S. 11:1732(27.1), 1782(3), and 1802(3), relative to the Municipal Employees' Retirement System; to provide for definitions; to authorize marshals to include certain supplements, fees, and commissions in their earnings for purposes of the retirement system; and to provide for related matters.

HOUSE BILL NO. 1093—

BY REPRESENTATIVES TOOMY AND WELCH

AN ACT

To amend and reenact R.S. 33:1421(A)(1), relative to the compensation of sheriffs in parishes with a population of four hundred thousand or less; to provide for certain salary increases; and to provide for related matters.

HOUSE BILL NO. 1105—

BY REPRESENTATIVE LANDRIEU

AN ACT

To enact Children's Code Article 896(G), relative to deferred disposition agreements in juvenile delinquency proceedings; to authorize the court to utilize or initiate a teen or youth court program; to authorize assessment of fees; and to provide for related matters.

HOUSE BILL NO. 1116—

BY REPRESENTATIVE LANDRIEU

AN ACT

To enact R.S. 49:214.16, relative to coastal restoration; to establish the America's WETLAND Way across coastal Louisiana; and to provide for related matters.

HOUSE BILL NO. 1157—

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 17:3997(F), relative to the Northwood Preparatory High School, to provide for duties of the State Board of Elementary and Secondary Education regarding the development, and administration of a claims process for former employees of the Northwood Preparatory High School to receive unpaid wages and benefits; to authorize and provide for the payment of certain claims; from certain monies provided to the Tangipahoa Parish School Board pursuant to cooperative endeavor with the state which monies may be used for payment of claims under certain circumstances; to provide for conditions for effectiveness; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1217—

BY REPRESENTATIVES TRICHE, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BOWLER, BROOME, BRUCE, CROWE, CURTIS, DAMICO, DARTZ, DIEZ, DOERGE, DOWNER, DURAND, FANNIN, FLAVIN, FRITH, FUTRELL, GALLOT, GLOVER, GUILLORY, HEBERT, HILL, HONEY, HUDSON, ILES, KENNARD, KENNEY, LUCAS, MCDONALD, MCVEA, MONTGOMERY, MORRELL, NEVERS, PIERRE, POWELL, QUEZAIRE, RICHMOND, JACK SMITH, JANE SMITH, STRAIN, THOMPSON, WADDELL, WALSWORTH, WELCH, WINSTON, AND WOOTON AND SENATOR DUPRE

AN ACT

To amend and reenact R.S. 30:136.3, 209(2) and (4)(b), and 212(D)(2) and (3), relative to the office of mineral resources funding authority; to rename the Mineral Resources Audit and Collection

Page 92 HOUSE

47th Day's Proceedings - June 22, 2003

Fund; to provide for revenues to be credited to the fund; to provide for appropriation from the fund; and to provide for related matters.

HOUSE BILL NO. 1236—

BY REPRESENTATIVE CRANE

AN ACT

To enact R.S. 17:3351.5(A)(7), relative to increases in tuition amounts for students at certain schools under the management of the Louisiana State University Board of Supervisors; to provide for specified tuition increases for students attending the Louisiana State University School of Veterinary Medicine; to provide limitations; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1261—

BY REPRESENTATIVE DANIEL

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in "Kasey J. Kidder v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Louisiana United Businesses Self Insured Fund v. the State of Louisiana, Department of Transportation consolidated with David L. Blount v. the State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Patrick Outlaw v. State of Louisiana, through the Department of Transportation and Development, et al"; to pay the consent judgments in "Don Gross, individually and as natural tutor of his minor children, Don Terrell Spears and Adarian Dante Spears, and Mitchell Dominic v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

HOUSE BILL NO. 1270—

BY REPRESENTATIVES WINSTON, HUDSON, LAFLEUR, LEBLANC, MCDONALD, MURRAY, NEVERS, SALTER, JOHN SMITH, STELLY, THOMPSON, WELCH, RICHMOND, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BRUCE, CAPELLA, K. CARTER, CRANE, CROWE, CURTIS, DANIEL, DARTEZ, DEVILLIER, DIEZ, DOWNS, ERDEY, FARRAR, FAUCHEUX, FRITH, FUTRELL, GLOVER, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, ILES, L. JACKSON, M. JACKSON, KATZ, KENNARD, LANDRIEU, MARTINY, PIERRE, PITRE, POWELL, QUEZAIRE, ROMERO, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, SNEED, STRAIN, SWILLING, THOMPSON, TRICHE, TUCKER, WADDELL, WALKER, AND WOOTON AND SENATOR IRONS

AN ACT

To amend and reenact R.S. 39:31(F)(2) and to enact R.S. 39:31(C)(9), relative to budgetary procedure; to require inclusion of certain information in agency operational and strategic plans; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1281—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 13:2586(C)(2) and 2587.1, R.S. 32:414(A)(3)(a) and (b), and R.S. 30:2522(3), 2531, 2531.5(D), 2531.6(A)(2), 2535(E), and 2544(D) and to repeal R.S. 30:2531.2, relative to littering; to provide for definitions; to prohibit intentional and simple littering; to provide for criminal and civil penalties; to provide for special court costs; to provide for jurisdiction of justices of the peace; to provide for prosecutorial powers of constables; to provide for enforcement; to provide for litter receptacles; to provide for litter-free zones; and to provide for related matters.

HOUSE BILL NO. 1285—

BY REPRESENTATIVE DOWNER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the amended judgment in the claim against the state entitled "National Beverage Company v. Secretary,

Department of Revenue and Taxation, State of Louisiana"; and to provide for related matters.

HOUSE BILL NO. 1286—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 39:1482(A)(1), relative to state contracts for professional, personal, consulting, and social services; to exempt certain consulting service contracts relating to acquisition of rights-of-way from certain requirements related to consulting contract procurements; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1290—

BY REPRESENTATIVE TOWNSEND

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the judgments in the suits entitled "Jonelle Clark v. Julie B. Roy, Allstate Insurance Company and State of Louisiana through the Department of Transportation and Development"; "Joe Farley, Jr., Mary Ann Farley Brooks, Rosetta Farley Fontenot, Elma Farley Alexander, Matthew Farley, Mose Farley, Henry E. Farley, Brenda Farley, Ollie Mae Farley Bell, and Robert L. Farley v. State of Louisiana, Department of Transportation and Development, et al."; "Lisa M. John v. Rodney G. Freeman, Financial Indemnity Insurance, Valerie J. Hill, Progressive Security Insurance Co., and State of Louisiana, through the Department of Transportation and Development"; "Rosemount, Inc. v. Secretary, Department of Revenue, State of Louisiana"; "Automatic Switch Company v. John Neely Kennedy, Secretary, Department of Revenue, State of Louisiana"; "Herman H. Boyett et ux v. State of Louisiana, Etc."; "Joseph Roy Lyons, husband of/and Myra Leger Lyons, individually and on behalf of his minor children, Joseph Roy Lyons, Jr. and Andrew Robert Lyons v. State of Louisiana, through the Department of Transportation and Development, Daimler/Chrysler Corporation, Southside Chrysler Corporation, d/b/a North Loop Dodge"; and "Brenda Whirl v. State of Louisiana, through the Department of Transportation and Development, et al"; to provide for interest; to provide for costs; and to provide for related matters.

HOUSE BILL NO. 1299—

BY REPRESENTATIVES DANIEL, JOHN SMITH, AND WELCH

AN ACT

To amend and reenact R.S. 30:2484(A)(5) and 2486(A), (B), (C)(1), and (D), and 2487(A), relative to the Oil Spill Contingency Fund; to provide for grants from the fund for research, testing, and development of discharge and blowout prevention and training using full scale well service training; to provide with respect to the fund balance as it relates to the collection of fees; and to provide for related matters.

HOUSE BILL NO. 1304—

BY REPRESENTATIVES STELLY, FLAVIN, GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(b) and (c), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of such revenues in Calcasieu Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1307—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 40:432 and to enact R.S. 15:587(E) and R.S. 40:384(28), relative to local housing authorities; to provide for definitions; to authorize the collection of criminal history record

information on applicants for public housing and vouchers under Housing Choice Voucher programs; and to provide for related matters.

HOUSE BILL NO. 1314—

BY REPRESENTATIVE DEVILLIER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay certain judgments against the state; to pay the consent judgment in the suit entitled "McKinley Thompson v. State of Louisiana through the Department of Transportation and Development and East Feliciana Parish Sheriff's Office"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 1325—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:124 and 181 and to enact R.S. 11:183 through 185, relative to administration and duties of retirement boards and committees, to provide for state and statewide retirement systems and the Public Retirement Systems' Actuarial Committee; to provide for membership, administration, duties, and responsibilities; to provide for education; to provide for quorum requirements, meeting dates, and per diem; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1350—

BY REPRESENTATIVES DOWNER, WALSWORTH, AND BALDONE

AN ACT

To amend and reenact R.S. 36:4(A)(introductory paragraph), to enact R.S. 36:4(A)(21) and Chapter 21-A of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:781 through 787, and to repeal R.S. 36:4(B)(1)(o), to create and provide for the Department of Veterans Affairs in the executive branch of state government; to provide for the department and its officers and offices, and their powers, duties, functions, and responsibilities; to provide for the transfer of the Veterans' Affairs Commission to the department; to abolish the existing Department of Veterans Affairs in the office of the governor; to provide for the effectiveness of the Act; and to provide for related matters.

HOUSE BILL NO. 1369—

BY REPRESENTATIVE M. JACKSON

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments in the suits against the state entitled "Nakisha Rogers v. Kenyatta Thomas, Allstate Insurance Company and the State of Louisiana through the Department of Transportation and Development"; "Kenyatta Thomas v. the State of Louisiana, through the Department of Transportation and Development"; and "Wiley Boyett, Elaine Boyett Rachal, Roger Van Boyett and Debra Boyett Allen v. Kemper Insurance Group, et al."; to provide for costs; and to provide for related matters.

HOUSE BILL NO. 1388—

BY REPRESENTATIVES LANCASTER AND BOWLER

AN ACT

To amend and reenact Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:991 through 999.25, relative to the creation and operation of a division of administrative law; to provide for the employment, qualifications,

duties, and authority of administrative law judges; to provide for exceptions; to make technical changes; and to provide for related matters.

HOUSE BILL NO. 1397—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 38:2212(A)(3)(f), relative to public contracts; to prohibit allowances in certain contracts; and to provide for related matters.

HOUSE BILL NO. 1403—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 39:128(B)(4), relative to the state capital construction budget; to provide for exemptions from inclusion in the budget for certain projects undertaken by or on the campus of a state college, university, or higher education facility; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1408—

BY REPRESENTATIVES DEWITT AND JOHNS

AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(1), (2)(b), and (3)(b) and (I)(4) and (5) and 1299.47(A)(1), (2)(b), and (3)(b) and (I)(2)(b) and (3) and to enact R.S. 40:1299.39.1(A)(3)(c) and (4) and (I)(6) and 1299.47(A)(3)(c) and (4) and (I)(4), relative to the state and private Medical Malpractice Acts; to provide relative to medical review panels; to provide for the inclusion of certain information in each request for a medical review panel; to provide for the payment of a filing fee; to provide for exceptions to and the waiver of the filing fee in certain circumstances; to provide that failure to pay the required fee shall invalidate the request for a medical review panel; to provide for the payment of the costs of the medical review panel; to provide for the refund of the filing fee under certain conditions; and to provide for related matters.

HOUSE BILL NO. 1419—

BY REPRESENTATIVE ERDEY

AN ACT

To amend and reenact R.S. 22:1404(3)(c)(i) and (d)(i), relative to insurance rates and defensive driving courses; to authorize the office of state police to promulgate rules and regulations to establish criteria and standards for the approval and certification of defensive driving courses; to authorize agreements for the funding of the approval and certification process for defensive driving courses; to provide for related matters.

HOUSE BILL NO. 1426—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:449(C), 788(C), 1152(F)(3), 1312(H), 1456(F)(1), 1530(F), 1641(C), 1763(F)(2), 1938(F)(2), 2178.1(C)(9)(a), 2221(F)(2), and 2257(F)(2), relative to state and statewide retirement systems; to provide with respect to Deferred Retirement Option Plans and Back-Deferred Retirement Option Plans; to provide for investment of the funds in such plans; to require that any investment of such funds after the member completes participation in the plan shall be in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1427—

BY REPRESENTATIVES POWELL, BAUDOUIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact Part II-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:471 through 478 and R.S. 36:629(E)(6), relative to strawberries; to provide for the membership, powers, and duties of the Strawberry Marketing Board; to provide for assessments on the sale of strawberries; to

Page 94 HOUSE

47th Day's Proceedings - June 22, 2003

provide for powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1459—
BY REPRESENTATIVES THOMPSON, KATZ, AND MCDONALD
AN ACT

To enact R.S. 40:573(12), relative to Housing Cooperation Law; to provide with respect to housing developments and redevelopment projects; to provide for public hearings; and to provide for related matters.

HOUSE BILL NO. 1461—
BY REPRESENTATIVE GARY SMITH
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Levar Green, et al. v. Department of Transportation and Development, et al."; to pay the consent judgment in the suit entitled "John Kolwe and Sheila Kolwe v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in "Mathilda Curry v. Mutual Services Casualty Insurance Co., Hung Vu, and Department of Transportation and Development, State of Louisiana"; to provide for interest; to provide for costs; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1475—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:3363(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide that the six percent salary deductions from a member's salary shall cease when a member has twenty years of service; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1481—
BY REPRESENTATIVE LANCASTER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Carl Walther, et al. v. Department of Labor and Department of State Civil Service"; to pay the consent judgment in the suit entitled "Justin Phillips, et al. v. Elwood Matherne, Jr., et al."; to pay the consent judgment in the suit entitled "Gramercy Insurance Company v. Louisiana Department of Economic Development, Louisiana Small Business Bonding Assistance Program and Hibernia National Bank"; to pay certain judgments of the Board of Tax Appeals in the claims of "Newpark Environmental Services, Inc. v. State of Louisiana"; to provide for interest; and to provide for related matters.

HOUSE BILL NO. 1490—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:3378(A)(1)(a) and (2)(a), relative to the Firefighters' Pension and Relief Fund for the city of New Orleans; to provide with respect to benefits to surviving spouses of members killed or who died from injury received while engaged in the discharge of their duties; to provide with respect to benefits to surviving spouses of other members and former members; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1518—
BY REPRESENTATIVE LANDRIEU
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state for fees and costs associated with legal

representation of certain juveniles; to provide for interest; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1531—
BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:3385.1(K)(5), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide for payment of the balance of a member's Deferred Retirement Option Plan account to the beneficiary; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1538—
BY REPRESENTATIVE TUCKER
AN ACT

To amend and reenact R.S. 22:2010(C)(1) and to enact Part XII-B of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2036.1 through 2036.10, relative to health maintenance organizations; to implement risk-based capital requirements for health maintenance organizations; to provide with respect to the authority of the commissioner of insurance to enforce such requirements; to provide for hearings; to provide for confidentiality; to provide for immunity; to provide for regulations; and to provide for related matters.

HOUSE BILL NO. 1547—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 51:2303(11) and 2315(D), relative to special treasury funds; to establish the Rural Economic Development Account within the Louisiana Economic Development Fund; to provide for deposit and use of monies in the account; to provide for definitions; to provide for effectiveness; and to provide for related matters.

HOUSE BILL NO. 1555—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:3074(C) and to enact R.S. 22:3071(32), relative to medical necessity review organizations; to provide for definitions; to provide for certain license renewal requirements; and to provide for related matters.

HOUSE BILL NO. 1556—
BY REPRESENTATIVES SCHWEGMANN AND PEYCHAUD
AN ACT

To enact R.S. 17:3351.7, to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose a specified fee increase for students attending the University of New Orleans; to provide relative to waivers for certain students; to provide limitations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1557—
BY REPRESENTATIVES LANDRIEU AND MURRAY
AN ACT

To amend and reenact R.S. 11:3385.2(A) and to enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize Deferred Retirement Option Plan participants to exercise an initial lump sum benefit option; and to provide for related matters.

HOUSE BILL NO. 1562—
BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 37:3118(A)(1)(f), 3129(A), and 3130 and to enact R.S. 37:3115.1 and 3129(C), relative to auctioneers; to provide for educational requirements for auctioneers and auction businesses; to authorize auctioneers to bid on behalf of an absentee bidder under certain circumstances; to authorize the taking of bids

by telephone or other electronic means; and to provide for related matters.

HOUSE BILL NO. 1564—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 46:236.5(C), relative to hearing officers; to provide for the use of hearing officers in expedited proceedings relative to domestic matters; to expand the authority of hearing officers; to provide for the entering of default judgments; to provide for the granting of uncontested matters; to authorize the referral for mediation, evaluations, and drug tests; to provide for contempt of court; to provide a process for objecting to a hearing officer's recommendations; to provide for final judgments; and to provide for related matters.

HOUSE BILL NO. 1584—

BY REPRESENTATIVES WELCH, CAZAYOUX, GALLOT, GLOVER, GUILLORY, L. JACKSON, M. JACKSON, KENNEY, LUCAS, MURRAY, TOWNSEND, WRIGHT, AND HUNTER AND SENATORS IRONS, TARVER, AND HOLDEN
AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191, relative to state funds; to establish the Community-based Primary Health Care Initiative Fund in the state treasury; to provide for the deposit of monies into the fund; to provide for uses of monies in the fund; to provide for grants from the fund to community health centers for operations and various community health programs and other purposes; to create the Community-based Primary Health Care Initiative within the Department of Health and Hospitals; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1622—

BY REPRESENTATIVE LAFLEUR
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Derrick Shane Miller v. State of Louisiana through the Department of Transportation and Development and Prairie Construction Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1651—

BY REPRESENTATIVE LANDRIEU AND SENATOR JOHNSON
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the final judgment in the suit entitled "Darlene Rogers and Carol Barnes v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in the suit entitled "William W. Rosen v. State of Louisiana through the Department of Transportation and Development, ABC Construction Company, and ABC Insurance Company"; to pay the consent judgment in the suit entitled "Michael Perry v. the State of Louisiana, through the Department of Transportation and Development and Parish of St. Bernard"; to pay the consent judgment in the suit entitled "William Serigne v. State of Louisiana, through the Department of Transportation and Development, et al."; to pay the consent judgment in the suit entitled "Jerry L. Fox v. Alton B. Honeycutt, et al."; to pay the consent judgment in "Tina Marie Hebert v. Robert Metzler, Barriere Construction Co., Inc., St. Paul Fire & Marine Insurance Company and Atlanta Casualty Companies"; to provide for interest; to provide for costs; and to provide for related matters.

HOUSE BILL NO. 1654—

BY REPRESENTATIVE LAFLEUR
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the consent judgments in the suits entitled "Kerry Kathryn Gordon Benoit and Breanna Hope Benoit v. The Hartford Casualty Insurance, et al."; "Betty Frady Huddleston v. State of Louisiana, Department of Transportation and Development"; "Dorothy Calico and Kelly Calico v. Angelo Iafate, Louisiana Department of Transportation and Development, ABC Contracting Company, DEF Insurance Company and XYZ Insurance Company"; "Dale Rice, individually and on behalf of Jonathan T. Rice v. Zulema VA. Miller, Johnny C. Miller, the Parish of East Feliciana, the State of Louisiana through the Department of Transportation and Development, Transcontinental Pipeline Gas Company and XYZ Insurance Company"; "Linda Rainey, as the tutor of Kody Michel v. State of Louisiana, Department of Transportation and Development and Department of Public Works; the Parish of St. Tammany; Town of Abita Springs; Wal-Mart, Inc., and XYZ Engineering Company"; and "Pique-Weinstein-Pique-Architects, Inc. v. Louisiana Stadium and Exposition District"; to provide for interest; to provide for court costs; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1657—

BY REPRESENTATIVES HONEY, CURTIS, HUDSON, AND MORRELL AND SENATOR HOLDEN
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(introductory paragraph) and (xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide applicability; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1673—

BY REPRESENTATIVE LAFLEUR
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Natalie Ortego v. Crowell Lumber Company and St. Paul Fire and Marine Insurance Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1679—

BY REPRESENTATIVE BROOME
AN ACT

To enact R.S. 42:1123(32), relative to exceptions to the Code of Governmental Ethics; to provide for any person who has a contract for advertising services with the Department of Culture, Recreation and Tourism to enter into contracts with any other person who engages in a transaction with the Department of Culture, Recreation and Tourism; and to provide for related matters.

HOUSE BILL NO. 1684—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:301 through 309, relative to state and statewide retirement systems; to reestablish the Commission on Public Retirement; and to provide for related matters.

HOUSE BILL NO. 1690—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 48:81(A)(1) and (2) and (B)(2) and (4), 82(B)(4), (C), (D)(4), (6), and (10), and (E), and 83(A)(1), relative to the Louisiana Infrastructure Bank; to authorize loans from the bank to fund Department of Transportation and Development approved infrastructure projects of public entities; to require the

Page 96 HOUSE

47th Day's Proceedings - June 22, 2003

state treasurer to serve as president and chairman of the board; and to provide for related matters.

HOUSE BILL NO. 1708—

BY REPRESENTATIVES HAMMETT AND FAUCHEUX AND SENATOR HAINKEL

AN ACT

To enact Part V of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1950.1 and 1950.2, relative to historic roads and Louisiana byways; to designate the Louisiana Great River Road as a Louisiana byway; and to provide for related matters.

HOUSE BILL NO. 1720—

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 33:4045.1, relative to sewerage assessments in the city of Lake Charles; to provide relative to the payment and collection of such assessments; and to provide for related matters.

HOUSE BILL NO. 1726—

BY REPRESENTATIVE MORRELL

AN ACT

To enact R.S. 33:4071.1 and to repeal R.S. 33:4085(C), relative to the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

HOUSE BILL NO. 1733—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2277(3) and to enact R.S. 30:2272(10), (11), and (12) and 2277(5), relative to liability for hazardous substance remedial action; to provide relative to such liability; and to provide for related matters.

HOUSE BILL NO. 1741—

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 8-A of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:871 through 878, relative to delivery sales of cigarettes; to provide for definitions; to provide relative to the regulation of sales of cigarettes when such sale is made pursuant to an order placed by means of telephone or other voice transmission, mail or other delivery service, or the Internet or online service or when delivery is made by mail or by delivery service; to provide for penalties for violations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1742—

BY REPRESENTATIVE HUTTER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Walter Diggs, Jr., husband of/and Mary Diggs v. Louisiana Department of Transportation and Development"; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1758—

BY REPRESENTATIVES WINSTON, BRUCE, AND KATZ

AN ACT

To amend and reenact R.S. 25:900.1(D)(introductory paragraph) and to enact R.S. 25:900.1(D)(5), relative to the Percent for the Arts Program; to provide authorization to the assistant secretary of the office of cultural development of the Department of Culture, Recreation and Tourism for certain purposes; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1761—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 33:4138 and to enact R.S. 33:4071.1, relative to the city of New Orleans; to remove the debt ceiling of eighteen million dollars for the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

HOUSE BILL NO. 1762—

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 33:4148, relative to the city of New Orleans; to remove the debt ceiling of sixty-eight million dollars for the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

HOUSE BILL NO. 1774—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of any parish with a population of between one hundred thousand and one hundred two thousand to pay certain premium costs of specified group insurance for certain retired officials and employees; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 1783—

BY REPRESENTATIVE WRIGHT

AN ACT

To amend and reenact R.S. 52:5, relative to jurisdiction over land sited in the state but under custody of the United States; to extend the period within which that concurrent jurisdiction shall apply; and to provide for related matters.

HOUSE BILL NO. 1792—

BY REPRESENTATIVE HUDSON

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain consent judgments against the state; to pay the consent judgment in the suit entitled "Joseph Powell v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Nelda Powell v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

HOUSE BILL NO. 1802—

BY REPRESENTATIVES HUNTER, HONEY, AND PEYCHAUD

AN ACT

To enact R.S. 17:1855(D), to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to impose specific increases in tuition amounts for students enrolled at the law center; to provide limitations; to provide for effectiveness; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1804—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 42:1119(C)(5), relative to nepotism; to provide that nepotism provisions of the Code of Governmental Ethics shall not apply to the employment of volunteer firefighters or to decisions regarding such employment; and to provide for related matters.

HOUSE BILL NO. 1815—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 42:1123(31) and to enact R.S. 42:1119(2)(c), relative to governmental ethics; to provide for an exception from the code of ethics for a former school board member who is a certified school psychologist to be employed by his former school board as a certified school psychologist; to provide for an exception to the nepotism provisions of the code of ethics for uncertified teachers in certain circumstances; to provide limitations; and to provide for related matters.

HOUSE BILL NO. 1837—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 42:1123(18), relative to governmental ethics; to permit licensed physicians who are cardiologists and who are serving on the board of commissioners of hospital service districts in parishes with a population of forty-five thousand or less to contract with a hospital over which the board exercises jurisdiction; to allow such a physician board member to have an ownership interest in an entity that contracts with the hospital over which the board exercises jurisdiction; to provide for such member's recusal from certain transactions; and to provide for related matters.

HOUSE BILL NO. 1838—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:1131.2(20) and (22), 1131.4(A), (B), (C)(2), (5), and (6), and (D), 1131.8, 1131.9(B) and (C), 1131.10.1, 1131.12(B), (C)(3), (D)(introductory paragraph), (E)(6), (F), and (G)(2) and (3), 1131.13(A) (B), and (E), 1131.20(B), (C), (D), (J), and (K), 1131.21(B) and (C), 1131.23(A)(introductory paragraph) and (G), 1131.28(A) and R.S. 37:1437.1(B)(1)(a) and (C), to enact R.S. 9:1131.3(E) through (H), 1131.4(F), 1131.9.1, 1131.9.2, 1131.12(D)(3) through (7), 1131.16.1 and R.S. 37:1437.1(G), and to repeal R.S. 9:1131.4(C)(7) through (13), 1131.10, 1131.12(E)(14) and (18), 1131.12(G)(4) through (8), 1131.13(F), 1131.14, 1131.15, 1131.16, 1131.20(E) through (I), 1131.21(D), and 1131.28(B) and (C), relative to the Louisiana Timesharing Act; to provide for various revisions to the Act; to repeal certain provisions of the Act; and to provide for related matters.

HOUSE BILL NO. 1840—

BY REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 37:1104(A), (B)(1) and (2)(a) and (C), 1116(B)(introductory paragraph) and (C)(introductory paragraph), 1120(A)(introductory paragraph), and 1121 and to repeal R.S. 37:1104(B)(2)(d) and 1106(A)(9), relative to licensed marriage and family therapists; to provide for changes to the content of the board; to delete the examination fee for marriage and family license applicants; to provide for replacements for vacancies that arise in the board; and to provide for related matters.

HOUSE BILL NO. 1846—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 14:95.3, relative to the crime of unlawful use of body armor; to revise the provision of law which makes the use of body armor by persons who have been convicted of certain crimes a criminal offense; to provide that the possession of body armor by persons who have been convicted of certain crimes is a criminal offense; and to provide for related matters.

HOUSE BILL NO. 1858—

BY REPRESENTATIVES LEBLANC, LAFLEUR, MURRAY, AND WELCH

AN ACT

To enact R.S. 17:419.2, relative to school support personnel; to provide for extra compensation paid by the state for school support personnel; to provide for the amount to be distributed to each employee; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1862—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 15:572(A) and (B), relative to pardons; to provide that a pardon shall not be issued to any person unless that person has paid all of the fees and fines which were imposed in connection with the conviction of the crime for which the pardon is to be issued; and to provide for related matters.

HOUSE BILL NO. 1873—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgments in the suits entitled "Albert J. Rohlf's and Helen M. Rohlf's v. Great West Casualty Co., et al" and "James Luther, et ux. v. Janie Audra Mason, et al."; and to provide for related matters.

HOUSE BILL NO. 1876—

BY REPRESENTATIVE K. CARTER

AN ACT

To amend and reenact R.S. 32:412(A)(1), (2), (5), and (6) and (B)(1), (2), and (7)(e)(i)(aa), (cc), (dd)(I), (ee), (ii)(aa), (cc), (dd)(I), and (ee) and to enact R.S. 30:2511(D), relative to drivers' licenses; to increase the fee for issuance and renewal of drivers' licenses; to require funds from such fee increase to be forwarded to the office of environmental education; to provide relative to the use of such funds; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1884—

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

HOUSE BILL NO. 1892—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 33:2493(C)(3), relative to admission requirements for certain fire or police service tests; to remove the requirement that an applicant for certain fire or police service tests shall be a qualified elector of the state; and to provide for related matters.

HOUSE BILL NO. 1909—

BY REPRESENTATIVE BAYLOR

AN ACT

To authorize the state of Louisiana to redirect certain payments due to the state from the city of Shreveport for the purposes of the further economic development of the Shreveport Regional Airport under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1919—

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To amend and reenact R.S. 46:2633(D)(1) and 2634(D)(1), relative to the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; to provide for use of monies in the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for reimbursement of

Page 98 HOUSE

47th Day's Proceedings - June 22, 2003

members' necessary travel expenses; and to provide for related matters.

HOUSE BILL NO. 1923—

BY REPRESENTATIVES HUDSON AND NEVERS
AN ACT

To enact R.S. 17:427.3, to provide for the Teach Louisiana First Program to reduce the shortage of certified teachers in certain schools; to provide for program purposes, eligibility criteria, incentive payments, reports, administration, and funding; and to provide for related matters.

HOUSE BILL NO. 1931—

BY REPRESENTATIVES CAZAYOUX, JOHNS, AND WALSWORTH AND
SENATOR FIELDS
AN ACT

To enact R.S. 9:5605.1, relative to attorneys; to provide for the theft of client funds; to provide for the recovery of client funds; to provide for prescription; to provide for the admissibility of certain evidence; to provide for the award of attorney fees; and to provide for related matters.

HOUSE BILL NO. 1945—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 56:1948.1, 1948.3, 1948.4, and 1948.7(A) and to enact R.S. 36:209(X) and 802.18 and Part III-A of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1948.11 through 1948.13, relative to the Louisiana Byways Program; to provide relative to selection of byways; to create the Louisiana Byways Commission as a state agency in the Department of Culture, Recreation and Tourism; to provide for the jurisdiction and purpose of the commission; to provide for membership of such commission, and its powers, duties, and functions; to provide for legislative oversight of the commission; and to provide for related matters.

HOUSE BILL NO. 1969—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 33:9076, relative to improvement districts; to provide for the continued levy of certain taxes and fees that support certain improvement districts; to provide for voting requirements; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1983—

BY REPRESENTATIVE MCDONALD
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the judgment in the suit entitled "Stuart Hughes Smith, et ux. v. State of Louisiana, Department of Transportation and Development et al"; to pay the judgment in the suit entitled "Marcus Ray Bennett v. Ford Motor Company and State of Louisiana, Department of Transportation and Development"; to pay the judgment in the suit entitled "The Estate of Gabriel Taylor Murray, et al v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

HOUSE BILL NO. 1987—

BY REPRESENTATIVE SCALISE
AN ACT

To amend and reenact R.S. 15:831(A) and to enact R.S. 15:831(D), relative to medical care of inmates; to prohibit the use of state funds for medical costs associated with organ transplants; and to provide for related matters.

HOUSE BILL NO. 1989—

BY REPRESENTATIVES HEBERT, DEWITT, BAYLOR, ERDEY, FRUGE,
MORRISH, GARY SMITH, TOWNSEND, AND TUCKER
AN ACT

To enact R.S. 22:231(H) and 236(10) and Chapter 8 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3101 through 3112, relative to minimal benefit hospital and medical policies; to create the Louisiana Safety Net Health Insurance Program; to provide for the Louisiana Health Plan; to provide for eligibility; to provide for participation; to provide for employers; to provide for administration and oversight; to provide for the Office of Group Benefits; to provide for coverage and benefits; to provide for policy forms and requirements; and to provide for related matters.

HOUSE BILL NO. 1994—

BY REPRESENTATIVES WELCH, ALEXANDER, BALDONE, BRUCE,
CROWE, DOERGE, FANNIN, FRITH, PINAC, GARY SMITH, AND SNEED
AN ACT

To amend and reenact R.S. 37:1861(B)(introductory paragraph) and to enact R.S. 37:1869.1, relative to secondhand dealers; to prohibit the sale of certain articles of clothing by secondhand dealers; and to provide for related matters.

HOUSE BILL NO. 1996—

BY REPRESENTATIVE HONEY AND SENATOR FIELDS
AN ACT

To amend and reenact R.S. 40:490(B)(introductory paragraph) and to enact R.S. 40:490(C), relative to payments in lieu of taxes; to grant certain parishes and municipalities and school boards in such parishes certain authority relative to payments in lieu of taxes; to require housing authorities in certain parishes to make payments in lieu of taxes to certain school boards; and to provide for related matters.

HOUSE BILL NO. 2003 (Substitute for House Bill No. 396 by Representative Baldone)—

BY REPRESENTATIVES BALDONE, ODINET, AND JACK SMITH AND
SENATOR DUPRE
AN ACT

To amend and reenact R.S. 56:325.3(A)(1) and (C), relative to commercial fishing; to provide for open season, quotas, and allowable gear for the taking of spotted sea trout; and to provide for related matters.

HOUSE BILL NO. 2010 (Substitute for House Bill No. 1044 by Representative Murray)—

BY REPRESENTATIVE MURRAY
AN ACT

To authorize the Milne Home for Girls to operate as an adult residential care home; and to provide for related matters.

HOUSE BILL NO. 2013 (Substitute Bill for House Bill No. 1725 by Representative Townsend)—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 44:4.1(B)(1) and to enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.13 and R.S. 36:629(Q) and 919.7 and R.S. 56:319(F), relative to aquacultural development; to create the Louisiana Aquaculture Coordinating Council; to provide for the membership, organization, powers, and duties of the Louisiana Aquaculture Coordinating Council; to provide for the powers of the commissioner of the Department of Agriculture and Forestry; to provide relative to authority from the Department of Wildlife and Fisheries to possess certain fish; to require certain aquatic producers to obtain a license or permit; to provide for fees for the issuance of such license of permit; to establish criteria for inspecting licensed facilities; to provide for the deposit and disbursement of fees and penalties; to enumerate violations; to provide for investigations of facilities; to provide civil penalties for violations; and to provide for related matters.

HOUSE BILL NO. 2015 (Substitute for House Bill No. 993 by Representative LaFleur)—
BY REPRESENTATIVES LAFLEUR, CAZAYOUX, HUTTER, AND SCALISE
AN ACT

To enact Chapter 19-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1741 through 1741.3, relative to telecommunications; to provide relative to unsolicited commercial electronic mail advertisements; to provide for definitions; to prohibit certain activities; to require certain disclosures and the maintenance of certain electronic mail addresses; to provide relative to electronic mail addresses provided by an employer; to provide for civil actions and damages; and to provide for related matters.

HOUSE BILL NO. 2016 (Substitute for House Bill No. 1060 by Representative Beard)—
BY REPRESENTATIVE BEARD
AN ACT

To enact Chapter 17 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2391 through 2398, relative to reclaimed water; to establish a reclaimed water program; to provide for definitions; to prohibit the use of potable water for certain purposes if reclaimed water is available; to provide for the use of revenue collected from the sale of reclaimed water; to create a drought-proof supply of water for industry; and to provide for related matters.

HOUSE BILL NO. 2022 (Substitute for House Bill No. 1932 by Representative Daniel)—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 30:2015.1, relative to the remediation of usable ground water; to provide for purpose; to provide for notice of actions to recover damages for usable ground water contamination; to provide for certain state departments intervening or being made parties to such actions; to provide for remediation plans and response by certain state agencies; to provide for damages to be placed into the registry of the court; to provide for certain court costs; to provide for expenditure of funds from such registry; to provide for posting of bonds; and to provide for related matters.

HOUSE BILL NO. 2030 (Substitute for House Bill No. 1083 by Representative Powell)—
BY REPRESENTATIVE POWELL
AN ACT

To enact Subpart B-33 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.611 through 130.619, to create the Hammond Area Economic and Industrial Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governing authority of the district and its powers and duties; to provide relative to taxes to be levied and collected in the district; to provide relative to the issuance of bonds; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Leave of Absence

Rep. Doerge- 1 day

Rep. Downer- 1/2 day

Rep. Kennard- 1 day

Adjournment

On motion of Rep. Kenney, at 9:45 P.M., the House agreed to adjourn until Monday, June 23, 2003, at 10:00 A.M.

The Speaker of the House declared the House adjourned until 10:00 A.M., Monday, June 23, 2003.

ALFRED W. SPEER
Clerk of the House